

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON**

IN THE MATTER OF AMENDING)
CHAPTER 17.02 AND 17.03 ICC, THE) ORDINANCE C- 87 -07
ISLAND COUNTY CRITICAL AREAS AND) PLG-017-07
ZONING ORDINANCES AND THE ISLAND)
COUNTY COMPREHENSIVE PLAN TO)
ADDRESS LAND USE COMPATIBILITY)
SURROUNDING NAVAL AIR STATION
WHIDBEY ISLAND.

WHEREAS, the Island County Comprehensive Plan addresses the importance of NAS Whidbey Island; and

WHEREAS, the Island County Comprehensive Plan recognizes the County's responsibility in protecting the health, safety, and welfare of its residents; and

WHEREAS, in March 2005 the report *AICUZ Update for Naval Air Station Whidbey Island's Ault Field and Outlying Landing Field Coupeville, Washington* was submitted to the Planning Department which defines compatible land use standards for areas within Aircraft Accident Potential Zones (APZs); and

WHEREAS, the Planning Department compared those standards with their own; and

WHEREAS, the Planning Director proposed amendments to the Island County Comprehensive Plan and Chapters 17.02 and 17.03 ICC through CPA 167/06 NAS Whidbey Island; and

WHEREAS, on May 9, 2006 Planning and Community Development presented the Island County Planning Commission with CPA 167/06 NAS Whidbey. The first publicly noticed hearing was held on May 23, 2006 with deliberations held on August 22, 2006. On October 10, 2006 the Planning Commission concluded that this proposal is consistent with the goals of the Comprehensive Plan and voted unanimously recommending adoption to the Board of Island County Commissioners (Exhibit B); and

WHEREAS, the Board of Island County Commissioners finds that the Navy recommended APZs are not sufficient to meet the future needs and uses of the military and County; and

WHEREAS, the Board of Island County Commissioners finds that connecting the APZs to form a racetrack pattern would be an appropriate method for ensuring land use compatibility now and in the future; and

WHEREAS, the Planning Department updated the analysis and recommendations of the Planning Commission to address the concerns brought forth by the Board of Island County Commissioners, attached hereto as (Exhibit A); and

WHEREAS, the Board of Island County Commissioners opted to hold a public hearing on the new information in Exhibit A; **NOW, THEREFORE,**

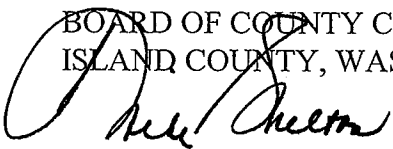
PLG-017-07, C- **87** -07
APZ surrounding NAS Whidbey


IT IS HEREBY ORDAINED that the Board of Island County Commissioners hereby adopts Exhibits A1-A6, amendments to the Island County Comprehensive Plan, Exhibits A7-A8, amendments to Chapter 17.02 ICC, Exhibits A9-A12, amendments to Chapter 17.03 ICC and Exhibit C, BICC Findings. Material stricken through is deleted and material underlined is added.

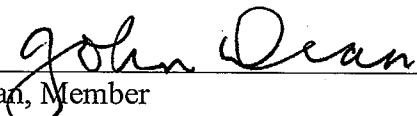
Reviewed this 6 day of AUGUST, 2007 and set for public hearing at 2:30 p.m. on the 27 day of AUGUST, 2007.



BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON


Mike Shelton, Chairman


William L. McDowell, Member


John Dean, Member

ATTEST:


Elaine Marlow
Clerk of the Board

C-87-07 3/19/08
ADOPTED

PLG-017-07, C- -07
APZ surrounding NAS Whidbey

APPROVED AND ADOPTED this 10 day of MARCH, 2008

BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON



John Dean
John Dean, Chairman

William L. McDowell
William L. McDowell, Member

Phil Bakke
Phil Bakke, Member

ATTEST:

Elaine Marlow

Elaine Marlow
Clerk of the Board

APPROVED AS TO FORM: as to Exhibits

David L. Jamieson, Jr.
David L. Jamieson, Jr.
Deputy Prosecuting Attorney
& Island County Code Reviser

A7, AB, A9, A10, A11, & A12

~~BEARING~~ bearing my initials, matter to
be placed in County Code.

C-87-07 3/10/08
ADOPTED

Exhibit A1

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DSM
3/10/08

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Exhibit A2

List of Maps

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Exhibit A3

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Major Issues

Airport and Aviation Impacts

Airports and related support facilities are an important part of the transportation network serving Island County. They range from the U.S. Naval Air Station to small private landing strips, and these airports provide public benefits to the community.

Island County aviation facilities represent a significant capital investment. Existing and potential economic benefits derived from these airports will be recognized. Negative impacts will be minimized and/or mitigated to the greatest extent reasonably possible. Future airport expansion and surrounding land development will have compatibility as their goal.

There are several classifications of airports, or aviation facilities, recognized by the Federal Aviation Administration. The ones currently sited in Island County include:

Private: General use by public at large prohibited, except in emergency or by specific authorization.

Limited: Intended for private use. Public not prohibited.

Commercial: Privately owned. Intended for general use by the public. (Wes Lupien Air Park, Whidbey Air Park, Camano Island Air Field)

Military: Owned and/or operated by the Federal Government. General use by the public is prohibited unless in an emergency or by specific authorization. (NAS Whidbey/OLF Coupeville)

Other aviation facilities not classified as airports include seaplane landing sites, heliports, and privately owned ultralight landing strips.

Airport facilities are described in Island County Transportation Plan Table V-9.²

The three commercial airports in Island County vary in size and intensity of use. They primarily serve the needs of the general, commercial and aeromedical aviation communities.

The two military airports in Island County also vary in size and use. Ault Field, the main airport complex for NAS Whidbey Island, is located north of the City of Oak Harbor. OLF Coupeville is a facility currently dedicated to Field Carrier Landing Practice (FCLP) and is located in central Whidbey Island southeast of the Town of Coupeville.

The use of private or limited civil airports, seaplane landing sites, private heliports, and private ultralight landing strips, where the property owner intends to use a landing area solely for his or her own personal use, could negatively impact residents of surrounding properties. Careful siting of such facilities is necessary to avoid conflicts with other permitted uses in rural areas.

Island County recognizes the benefits and economic opportunities that airports can provide. The county also recognizes its responsibility to protect the health, safety, and welfare of its residents while promoting compatible coexistence of airports with surrounding land uses.

² See Transportation Element.

1 Each airport in Island County has impacts on surrounding land uses that deserve special
2 planning considerations. The three existing commercial airports require somewhat less
3 special planning than military airports.

4 Naval Air Station (NAS) Whidbey Island, including the outlying Field at Coupeville and the
5 Seaplane Base, represent the dominant economic force in Island County. It is home to all the
6 U.S. Navy's EA-6B electronic warfare aircraft, and the Pacific Fleet's P-3 patrol squadrons.
7 NAS Whidbey provides the site for many logistical, maintenance, and training units that
8 support the Navy's air, surface, and shore establishments in the northwest United States and
9 Pacific Rim. NAS Whidbey also is the home of Navy and Marine Reserve squadrons,
10 surface, and support units. In 1993, NAS Whidbey had approximately 12,000 military and
11 civilian personnel.

12 NAS Whidbey is a strategically located national asset. It is the only Navy and Marine Air
13 facility in the entire northwest quadrant of the United States. It constitutes a significant
14 capital investment in our region by the federal government.

15 Island County recognizes the impact that closure of NAS Whidbey would have on all levels
16 of the economic and social fabric of the County. This would result in a population loss of
17 approximately 24,000 military and dependent personnel and a \$300 million annual payroll.
18 Given the multiplier effect, this would amount to a loss of approximately \$750 million. Island
19 County's land use decisions will support the retention and future use of these facilities for use
20 by military aviation.

21 The military airports in Island County are owned by the United States Government and
22 operated by the Department of the Navy. These aviation facilities (Ault Field and Outlying
23 Field [OLF] Coupeville) necessitate special planning and land use considerations. The high
24 sound levels generated by aircraft using these airports mandates some considerations unique
25 to these facilities, such as sound attenuation.

26 Flight operations at the military airports in Island County raise potential safety and accident
27 issues. Around both military airports are designated Accident Potential Zones (APZs) to
28 protect public health, safety, and welfare and to protect the operational use of military
29 airports. Island County will ensure that future development in APZs is at the lowest possible
30 density consistent with the underlying land use designation.

31 Maps C and D identify the Island County aviation impact areas and noise zones.
32 Superimposed on the maps are overlays for the airport sound disclosure boundaries, sound
33 attenuation building code boundaries, aircraft noise contours, military airport Accident
34 Potential Zones, and designated Seaplane Sites.

Naval Air Station (NAS) Whidbey Island

In 1942, a directive from the Chief Naval Officer was given to find an adequate location for the rearming and refueling of Navy patrol planes which were operating in defense of the Puget Sound area at the height of World War II. A suitable site was located just north of the City of Oak Harbor and construction began on this base in March of 1942. Ault Field was commissioned in September of that year. Ault Field first saw use as a site of recruit and officer training, torpedo overhaul, rocket firing training, and seaplane patrol operations, as well as a munitions and refueling station.

In September of 1943, Coupeville Outlying Field (OLF) became operational as an auxiliary air strip to Ault Field.

The combination of these two air fields is known as Naval Air Station (NAS) Whidbey Island and has become the premier Naval Air Station for electronic attack and patrol and reconnaissance squadrons. This is due to a multitude of factors, the most important being NAS Whidbey's location. The location of Ault Field just north of Oak Harbor, allows training to be carried out over the Pacific Ocean with little or no effect on civil aviation or civil transmissions (TV, Radio, etc.). NAS Whidbey Island manages hundreds of thousands of square miles of training airspace throughout Washington, Oregon and Nevada and in International airspace and waters off the West Coast of the United States.

NAS Whidbey Island also contains a FSQ Electronic Combat Warfare Threat Simulator, which, combined with the marginal amount of civil aviation and electronic frequency interference allows for optimal electronic warfare training in the immediate vicinity the air station.

The proximity of NAS Whidbey Island to the Bangor Submarine Base and the Bremerton Home Port also allows for optimized opportunities in deployment of electronic attack wings to aircraft carriers as well as providing real submarine and surface "targets" for training in Anti-Submarine and Anti-Surface Warfare.

Additionally, NAS Whidbey Island also contains the Naval Ocean Processing Facility (NOPF) Whidbey Island. This facility provides underwater surveillance of the North Pacific Ocean and works in conjunction with the Canadian Naval Forces.

NAS Whidbey has become an important military installation because of the advantages listed above. This has brought with it an increase in personnel which have had a considerable positive economic effect on Island County. In 1940, the population of Island County was 6,098 residents. In 1950, that population had jumped to 11,079 residents, an 80% increase over that 10 year span. As of 2003, NAS Whidbey Island directly employed approximately 10,066 people with a payroll of \$399.1 million. The total number of people employed by the base represents 68% of the total employment in Island County while the payroll amount represents approximately 52% of all countywide labor earnings.

Further direct impacts to the economy include \$91.1 million in military retiree pensions, \$14.1 million in health care payments to private providers, and \$12.2 million in contracts for goods and services. \$22 million are spent at commissaries and base exchanges; however, these fees do not benefit the State or Island County as they go to out of state vendors. Therefore the direct impact to the state economy is \$494.5 million.

As of 2003, approximately 56.5% of the students enrolled in the Oak Harbor School District were dependents of military personnel. Accordingly, the school districts of Island County received \$4.5 million from NAS Whidbey Island for schooling dependents of military personnel.

It is also understood that NAS Whidbey Island contributes indirectly to the economies of both Island County and the State of Washington. The Washington State Office of Financial Management found that NAS Whidbey Island indirectly and directly accounts for 20,141 jobs within the state of Washington. These 20,141 jobs accrue wages of up to \$775 million, which is then redirected back into the economy.

The total impact of NAS Whidbey Island on Island County accounts for 17,500 jobs which produce \$674 million in wages. This equals 88% of wage disbursements in Island County, making it the most military-dependent county in Washington (Figure 1.4).

Figure 1.4 Total Labor Earnings due to Military Bases Compared to Wage and Salary Disbursements by County†

	<u>Home County Labor Earnings Total Impact, 2003 (\$ millions)</u>	<u>Wage and Salary Disbursements, 2002 (\$ millions)</u>	<u>Military Total Impacts as Percent of Wage and Salary Disbursements</u>
<u>Island</u>	<u>674</u>	<u>767</u>	<u>87.9%</u>
<u>Kitsap</u>	<u>1,756</u>	<u>3,236</u>	<u>54.3%</u>
<u>Pierce</u>	<u>2,867</u>	<u>9,417</u>	<u>30.4%</u>
<u>Snohomish</u>	<u>431</u>	<u>8,633</u>	<u>5.0%</u>
<u>Spokane</u>	<u>570</u>	<u>6,440</u>	<u>8.9%</u>
<u>Yakima</u>	<u>19</u>	<u>2,622</u>	<u>0.7%</u>
<u>Statewide</u>	<u>6,317</u>	<u>111,478*</u>	<u>5.7%†</u>

* Represents Countywide Wage and Salary Disbursements for the entire state

† Military Total Impacts as Percent of Countyside Wage and Salary Disbursements for the entire State

‡ Table produced by the Washington State Office of Financial Management

It is readily apparent that NAS Whidbey is a dominant force in Island County. Because of this, Island County recognizes the impact that closure of NAS Whidbey would have on all aspects of life within the County. Not only would a closure of the base lead to the loss of 17,500 jobs and \$674 million in funds, but it would also lead to a loss of 20,000+ friends, neighbors, and relatives, which would be the most harmful impact to the Island County community.

1 It is also important that Island County's land use decisions are compatible with the retention and
2 future use of NAS Whidbey Island not only for the reasons listed above, but because the Base has
3 a strong relationship with the community and Island County, and that relationship should be
4 maintained.

5 Continuing efforts

6 Historically, encroachment is one the major factors in base closures around the country. It is
7 imperative that encroachment on NAS Whidbey Island is not allowed to compromise the future
8 operation of the Base. For the last 25 years Island County has been at the forefront of Washington
9 State Counties in protecting, through land use planning, the vital interests of NAS Whidbey.
10 Over this period of time, and as the effects of encroachment have been better understood, Island
11 County has continually enhanced regulations aimed at preventing encroachment issues.

12 These efforts have paid off! Island County now offers the United States a unique property in
13 NAS Whidbey Island due to the few encroachment challenges it faces. While air bases across the
14 nation are being closed or scaled back, NAS Whidbey has been recognized as a safe place to fly
15 due, in part, to our proactive land use standards.

16 In 1998, Island County and NAS Whidbey Island worked in partnership to develop new zoning
17 regulations aimed at greater protection of the Base. As a result, the County rezoned land
18 surrounding NAS Whidbey Island and Coupeville OLF to limit future development so it would
19 not exceed one house per 5 acres. The County also took a leadership role with the City of Oak
20 Harbor by developing an Interlocal Agreement with the City that greatly strengthened noise
21 attenuation standards for construction in Noise Zones 2 and 3. Today these standards are
22 consistently and strictly enforced by both Island County and the City of Oak Harbor resulting in a
23 minimum 25-dBA interior noise reduction.

Further, we require full noise disclosure notifying potential buyers prior to a sale of any property
located in Noise Zone 2 and 3. If landowners, whose property lies in Noise Zone 2 or 3, want to
rent they too must provide full disclosure to the future inhabitants.

Perhaps the most significant factor in protecting NAS Whidbey Island and Coupeville OLF, is
the County's partnership with the Navy. We have a long history of working together with the
NAS Whidbey Island Community Planning Liaison Officer, coordinating and providing
information for any building and land use permits that may have an impact on the naval
operations, and providing SEPA notices to the Navy. We look forward to continuation of the
maintenance of this strong relationship. The County is committed to taking the necessary steps to
help ensure future operations of the Base for the continuing protection of the citizens of the
United States.

It is in this spirit that we will be adding new Code in 2007 to further protect NAS Whidbey
Island and the residents of Island County. As a display of continued cooperation this new code
will regulate lands within the Aircraft Accident Potential Zones (APZ) by placing additional

1 limitations on land use and base densities as recommended by the Navy for land development
2 within the APZs. The new regulations will also go a step further than Navy recommendations by
3 expanding the APZs to produce a 'race track' pattern. These new limitations, in combination
4 with those regulations already in place for Noise Zones, will provide an enhanced level of safety
5 for NAS Whidbey Island and County residents.

6 The Aircraft Accident Potential Zones (APZs) are areas extending from the end of the runways
7 which have a higher potential for aircraft accidents. These zones are divided into three separate
8 zones, a Clear Zone, APZ-I, and APZ-II. By limiting development in these areas, the potential
9 human impact of an accident is minimized.

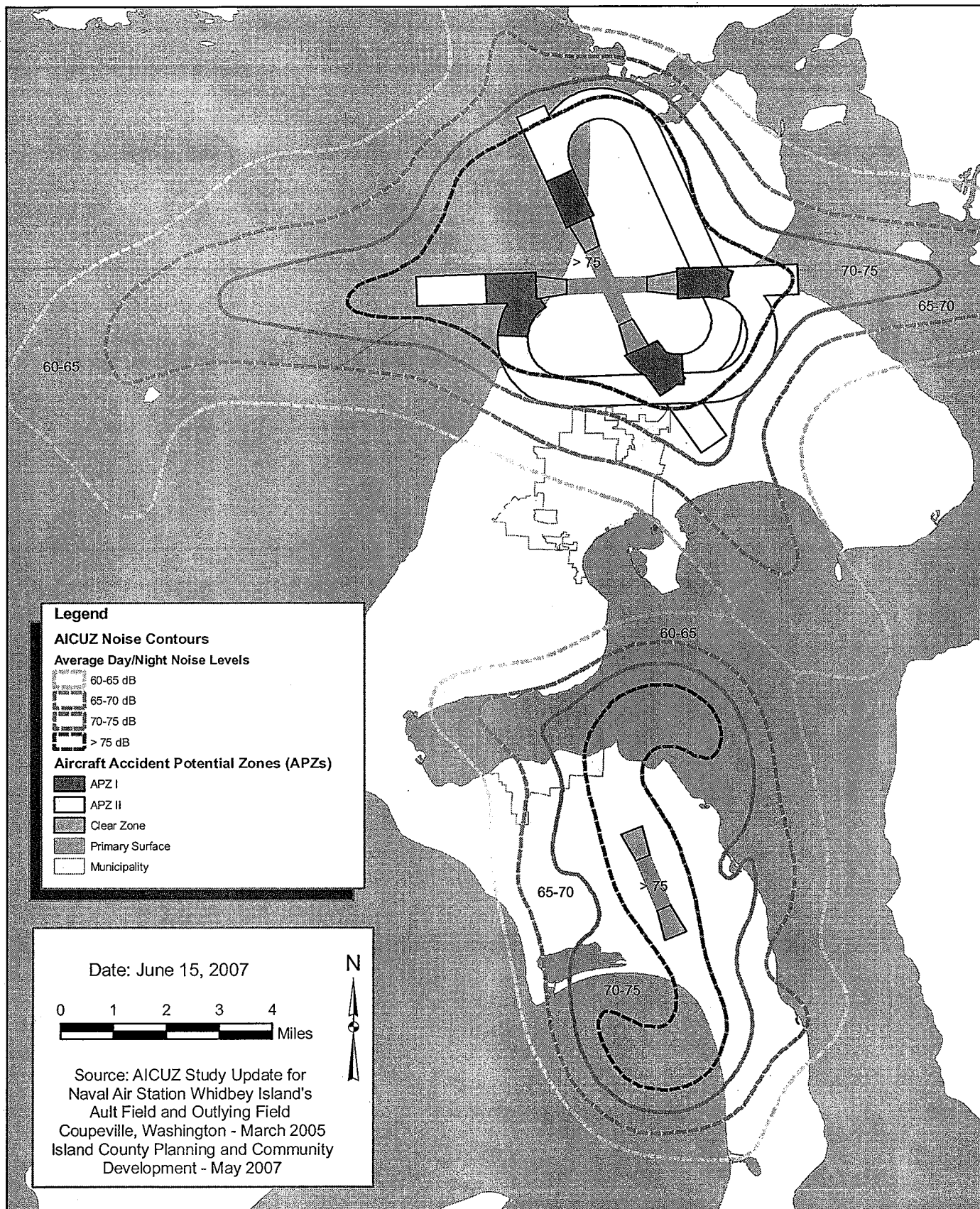
10 Map C, Airport and Aviation Safety Overlay, identifies noise zones and APZs within the County.
11 Superimposed on the maps are overlays for the airport sound disclosure boundaries, sound
12 attenuation building code boundaries, aircraft noise contours, military airport APZs.
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Map C Island County Airport and Aviation Safety Overlay

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MAP C

Airport and Aviation Safety Overlay



1 | **Map C—Island County Aviation Impact Areas**

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1 | Map D—Island County Noise Zones

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Exhibit A5

General Overlays and Critical Areas

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Airport and Aviation Safety Overlay

Definition:

The Airport and Aviation Safety Overlay represents ~~the high noise zone areas~~ of Island County where special land use controls are necessary to assure public health, welfare and safety.

Designation Criteria:

Map C identifies lands as being contained by Accident Potential Zones or AICUZ Noise Contours, ~~Island County Aviation Impact Areas, shall function as the Airport and Aviation Safety Overlay.~~

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Exhibit A6

General Land Use Policies

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3. Prohibit activities and land uses which cause or exacerbate existing hazardous geological conditions.

B. Maps, site-specific studies, and information collected by other agencies available for public review will be made readily accessible to potential and existing landowners, interested citizens, and development interests to aid in the protection of these areas.

C. Regulation of these areas will take into consideration the sensitivity of the area to disturbance, and the intensity and potential risks associated with a proposed land use.

D. When a violation of the policies and regulations of this area is identified, the enforcement action and severity of any penalty will be proportional to the nature and circumstances of the violation and the damage or risk to private and public resources.

E. Overlay policies and development regulations shall be implemented in addition to those associated with the underlying land use designation. When there is a conflict in policy statements or development regulations, the more restrictive shall apply.

F. Steep and unstable slope regulations are contained in ICC 17.02.

Shorelines Overlay

Goals and policies for the Shorelines Overlay may be found in the Shoreline Management Element of the Comprehensive Plan.

Airport and Aviation Safety Overlay

Goal:

Ensure that future development in the Airport and Aviation Safety Overlay protects public health, safety and welfare.

Policies Applicable to NAS Whidbey Island and All Civilian Airports:

A. Ensure that the permitting process for any new or expanding airport is subjected to a thorough review. Potential benefits will be carefully considered as will potential adverse impacts.

B. Ensure that public or private development around existing airports allows the continued use of that facility as an airport. Land within aircraft approach and departure zones will be protected from inappropriate development.

C. Ensure that new land uses which would attract or accommodate large concentrations of people will not be permitted to locate within approach or departure zones and/or Accident Potential Zones of existing airports.

D. Help to minimize the number of people exposed to very high aircraft noise levels in areas near airports through compatible land uses. In the highest airport noise level areas open/undeveloped space will be encouraged and land use densities shall remain

low. The objective is to achieve the greatest degree of compatibility and the least public annoyance which can be attained.

- E. Preserve the right of airport owners and operators to continue present operations and allow for future air transportation and airport facility needs. It is also important to consider the present and future use of private property and the rights of private property owners.
- F. New dwellings in moderate and high aircraft noise areas will be built to a noise level reducing standard that is higher than that which is obtained by building to current minimum building code standards. Structural noise attenuation standards in the higher noise areas (NAS/OLF) will be greater than that required in moderate aircraft noise areas.
- G. Island County will notify the airport operator, state and federal aviation agencies, at the time of initial application, of any proposed actions or projects, which would lead to development near an airport that is not compatible with the airport's operations. The airport operator shall notify Island County, and potentially affected citizens, of any proposed operational changes which would have a significant impact on existing land uses.
- H. Land use proposals, structures, or objects that would interfere with the safe operation of aircraft will be examined for compatibility as defined in CFR Title 14, FAR Part 77 and FAA Terminal Instrument Procedures (TERPS) Chapter 12, and WA 31. The object is to permit land uses which allow safe aircraft operations as defined in the documents referenced above. **Obstructions that would require alterations in flight paths will not be permitted.**
- I. A public site plan review is required in the event airport operations exceed an operational growth rate of 30% in 3 years which necessitates expansion of existing airport boundaries.⁹
- J. Island County will require a Comprehensive Plan Amendment for the establishment of any proposed new airport.
- K. Require advance notification of future owners or renters of properties within noise impact areas of potentially significant noise impacts.
- L. Overlay policies and development regulations shall be implemented in addition to those associated with the underlying land use designation. When there is a conflict in policy statements or development regulations, the more restrictive shall apply.

Policies Applicable to ~~Military Airports~~ NAS Whidbey Island Only:

- M. Island County will discourage residential development in Aircraft Accident Potential Zones (APZ). To protect the ongoing and future operational use of ~~military~~

⁹ Take-offs and landings as referenced in Island County Transportation Plan Table V-9.

airports NAS Whidbey Island, Island County will ensure that future development in Accident Potential Zones (APZs) around Ault Field and Outlying Field Coupeville is at the lowest possible density consistent with the underlying land use designation.

N. If the Department of Defense should declare surplus any portion of NAS Whidbey Island, the County will work closely with federal and state officials, the City of Oak Harbor, and other appropriate entities to ensure that the base capital facilities are put to the best economic use, consistent with city and county comprehensive plans.

O. Island County will continue to work with NAS Whidbey Island to ensure land use will remain compatible with the changing needs and uses of NAS Whidbey Island.

Archaeologically Significant Areas

Goal:

To identify Island County's archaeological resources, and to protect and preserve the cultural, historical, social, educational, and scientific value of these resources in a manner that respects their cultural significance.

Policies:

A. The County will prepare and maintain a current inventory of all known and suspected historic and archaeological sites in cooperation with the State Office of Archaeology and Historic Preservation and officials from the affected Indian tribe. This inventory will be kept in a secure location and used by County staff only for the purpose of verifying the presence of an archaeological site on a subject property. The County shall update its inventory of archaeological sites by incorporating information contained in the archaeologic reports required by Section D below. Additionally, should any new archaeological site be discovered during development or otherwise, the County shall also incorporate information obtained from the newly discovered site in its inventory and shall forward or cause to be forwarded this information to the state Office of Archaeology and Historic Preservation and the affected Tribe.

B. The County will prepare and implement procedures identifying and protecting archaeological sites within its jurisdiction. The County shall provide the affected Tribe, the Office of Archaeology and Historic Preservation, the Trust Board of the Ebey's Landing National Historical Reserve and the Island County Historical Society with a copy of these procedures and any amendments hereto.

C. The County will ensure that affected tribal organization(s) and the Office of Archaeology and Historic Preservation are involved in the review of projects having potential impacts on archaeological sites by, at a minimum, providing the affected Tribe, organization and agency with a copy of the permit application for all such projects and notifying the owner or project proponent of his/her responsibility to consult with the affected Native American Tribe.

D. Where a proposed development is located on or near an archaeological site, the County will require the property owner or project proponent to engage a qualified professional

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Exhibit A7

Chapter 17.02 Table of Contents

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Chapter 17.02

Island County Critical Areas Ordinance

Sections:

- 17.02.010 Authority**
- 17.02.020 Purpose**
- 17.02.030 Definitions**
- 17.02.040 Critical Areas**
 - A. Purpose
 - B. Applicability
 - C. Permitted Uses
 - D. Reasonable Use – Single Family Residence on Existing Lots
 - E. Exemptions
 - F. Alteration
 - G. Reasonable Use Exception
 - H. Physically Separated and Functionally Isolated Buffers
 - I. Review Process
 - J. Assessment
- 17.02.050 Overlay Zones**
 - A. Wetlands (w)
 - B. Geologically Hazardous Areas (gh)
 - C. Fish and Wildlife Habitat Conservation Areas (fw)
 - D. Penalties and Enforcement
 - ~~E. Airport and Aircraft Safety (as) (Reserved)~~
 - EF. Scenic Corridors (sc) (Reserved)
 - FG. Water Resource (wr) (Reserved)
 - GH. Critical Drainage (cd) (Reserved))
 - HI. Historic (h) (Reserved)

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17.02.050 Overlay Zones

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17.02.050 Overlay Zones

~~E. Airport and Aircraft Safety (as) (Reserved)~~

EF. Scenic Corridors (sc) (Reserved)

FG. Water Resources (wr) (Reserved)

GH. Critical Drainage (cd) (Reserved)

HI. Historic (h) (Reserved)

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Exhibit A9

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- 17.03.170 Potential UGA Expansion Area Overlay (Reserved)**
- 17.03.180 Land Use Standards**
 - A. General Standards for Nonresidential Uses in the Rural, Rural Residential, Rural Forest, Rural Agriculture and Commercial Agriculture Zones
 - B. Bed and Breakfast
 - C. Personal Storage
 - D. Country Inns
 - E. Density Bonus System
 - F. Earned Development Units
 - G. Farm Management Plan
 - H. Farm Produce Stands, Seasonal Farmer's Markets, and Forest Product Stands
 - I. Guest Cottages and Accessory Living Quarters
 - J. Home Industry - Purpose and Standards
 - K. Home Occupation Standards
 - L. Institutional Uses
 - M. Junk and Junk Vehicles, Outdoor Storage of
 - N. Mobile Homes
 - O. Mobile/Manufactured Home Parks
 - P. Non-Residential Design, Landscape and Screening Guidelines
 - Q. Parking, Access, and Circulation
 - R. Signage and Outdoor Lighting Standards
 - S. Site Coverage and Setbacks
 - T. Small-Scale Recreation and Tourist Uses
 - U. Surface Mining
 - V. Temporary Uses
 - W. Scenic Corridors
 - X. Composting and Grinding
 - Y. Existing Master Planned Resorts
 - Z. Aircraft Accident Potential Zone
- 17.03.190 Code Interpretation**
- 17.03.200 Temporary Use Approval**
- 17.03.210 Variances**
- 17.03.220 Zoning Amendments**
- 17.03.230 Existing Uses**
- 17.03.240 Appeals**
- 17.03.250 Citizen Complaints**
- 17.03.260 Penalties and Enforcement**
- 17.03.270 Forest Practices**
- 17.03.280 Severability**
- 17.03.290 Effective Date**

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Exhibit A10

17.03.040 Definitions

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17.03.040 Definitions

Aircraft Accident Potential Zone (APZ): Areas based on historical accident and operations data throughout the military and the application of margins of safety within those areas if an accident were to occur.

There are 3 types of Accident Potential Zones:

- Clear Zone - The trapezoidal area lying immediately beyond the end of the runway and outward along the extended runway centerline for a distance of 3,000 feet. For U.S. Navy and Marine Corps installations, the dimensions are 1,500 feet wide at the runway threshold and 2,284 feet wide at the outer edge.
- APZ-I - The rectangular area beyond the Clear Zone, which has a measurable potential for aircraft accidents relative to the Clear Zone. APZ-I is typically 3,000 feet wide by 5,000 feet long and may be rectangular or curved to conform to the shape of the predominant flight track.
- APZ-II - The rectangular area beyond APZ-I, which has a measurable potential for aircraft accidents relative to APZ-I or the Clear Zone. The dimensions of APZ II are typically 3,000 feet wide by 7,000 feet long, and like APZ-I, may be curved to correspond with the predominant flight track. In following the predominant flight, of takeoff and landing, its area connects APZ-I to APZ-I to make a full 'race track' pattern or 'loop'.

(Reserved.)

Floor Area Ratio (FAR): The ratio between the Gross Floor Area and the square feet of the Parcel or Lot area.

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Exhibit A11

17.03.050 Zoning Classifications and Overlays

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17.03.050 Zoning Classifications and Overlays

D. **Interpretation of Boundaries.** The following rules shall be used to determine the precise location of any Zone boundary shown on the Official Zoning Map of Island County:

1. Boundaries shown as following or approximately following the limits of any city or town shall be construed as following such limits.
2. Boundaries shown as following or approximately following streets shall be construed to follow the centerlines of such streets.
3. Boundary lines which follow or approximately follow platted Lot Lines, Assessor's Parcel property lines or other established property boundaries shall be construed as following such lines.
4. Boundaries shown as following or approximately following section lines, half-section lines, or quarter-section lines shall be construed as following such lines.
5. Boundaries shown as following or approximately following shorelines of any lakes or Puget Sound shall be construed to follow the mean high waterlines of such bodies of water, and, in the event of change in the mean high waterline, shall be construed as moving with the actual mean high waterline.
6. Boundaries shown as following or approximately following the centerlines of streams, rivers, or other continuously flowing water courses shall be construed as following the channel centerline of such water courses taken at mean low water, and, in the event of a natural change in the location of such streams, rivers, or other water courses, the zone boundary shall be construed as moving with the channel centerline.
7. Boundaries shown as separated from, and parallel or approximately parallel to, any of the features listed in paragraphs 1 through 6 above shall be construed to be parallel to such features and at such distances therefrom as are shown on the map.
8. Boundaries should be delineated to avoid dividing a Lot or Parcel into more than one (1) Zone.
9. Boundaries for Airport and aircraft safety. All areas of a parcel located within an Aircraft Accident Potential Zone (APZ) shall be subject to the limitations imposed by this chapter.(Reserved)

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Exhibit A12

17.03.180 Land Use Standards

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17.02.050 Overlay Zones 17.03.180 Land Use Standards

EZ. Aircraft Accident Potential Zone (APZ). The primary purpose of the Aircraft Accident Potential Zone (APZ) Overlay is to promote the public health, safety, and general welfare by minimizing the hazards incident to development in the immediate vicinity of aircraft paths of arrival and departure associated with NAS Whidbey.

1. Allowed Uses in Specific APZ's: The following table describes uses that may be established on non UGA parcels that are located within Accident Potential Zones.

TABLE 71.02.050.D

<u>USES</u>	<u>CLEAR ZONE</u>	<u>APZ-I</u>	<u>APZ-II</u>
Accessory Living Quarters	No	No	Yes
Accessory Uses	No	Yes	Yes
Agriculture or Forest Products Processing	No	Yes	Yes
Agricultural Products – Growing, Harvesting, Managing and Selling ¹	Yes	Yes	Yes
Animal Shelter	No	No	Yes
Bed and Breakfast Room (No more than 2 rooms)	No	No	Yes
Bed and Breakfast Inn (3 to 6 rooms)	No	No	No
Public/Community Boat Launch	No	Yes	Yes
Campground and Recreation Vehicle Park	No	No	No
Church	No	No	No
Communication Tower ²	No	No	Yes
Country Inn (7 to 40 rooms)	No	No	No
Day Care Nursery (6 or fewer persons)	No	No	No
Small Day Care Center (7 to 12 persons)	No	No	No
Equestrian Center	No	No	No
Essential Public Facilities	No	No	No
Seasonal Farmer's Market	No	No	Yes
Farm Produce Stand and Forest Product Stand	No	No	Yes
Fire Station	No	No	Yes
Forest Products – Growing, Harvesting, Managing and Selling	No	Yes	Yes
Group Home	No	No	No
Guest Cottage	No	No	Yes
Gun Club and Shooting Range	No	No	No
Home Industry	No	No	Yes
Home Occupation	No	No	Yes
Kennel	No	No	Yes
Livestock Husbandry	No	Yes	Yes

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<u>Minor Utilities</u>	<u>No</u>	<u>Yes</u>	<u>Yes</u>
<u>Major Utilities</u>	<u>No</u>	<u>Yes</u>	<u>Yes</u>
<u>Mobile Homes (for single wide homes – must have at least 2.5 acres)</u>	<u>No</u>	<u>Yes</u>	<u>Yes</u>
<u>Mobile/Manufactured Home Park</u>	<u>No</u>	<u>No</u>	<u>No</u>
<u>Schools, Public and Private</u>	<u>No</u>	<u>No</u>	<u>No</u>
<u>Seasonal Sale of Farm Produce</u>	<u>No</u>	<u>Yes</u>	<u>Yes</u>
<u>Single Family Dwelling</u>	<u>No</u>	<u>Yes</u>	<u>Yes</u>
<u>Small Scale Recreation Use</u>	<u>No</u>	<u>No</u>	<u>No</u>
<u>Small Scale Tourist Use</u>	<u>No</u>	<u>No</u>	<u>No</u>
<u>Storage Facilities, Personal</u>	<u>No</u>	<u>Yes</u>	<u>Yes</u>
<u>Surface Mine</u>	<u>No</u>	<u>Yes</u>	<u>Yes</u>
<u>Temporary Uses</u>	<u>No</u>	<u>No</u>	<u>Yes</u>
<u>Water Tank</u>	<u>No</u>	<u>Yes</u>	<u>Yes</u>
<u>Recreational Aerial Activities</u>	<u>No</u>	<u>No</u>	<u>No</u>
<u>Veterinarian Clinic</u>	<u>No</u>	<u>No</u>	<u>No</u>
<u>Winery</u>	<u>No</u>	<u>No</u>	<u>Yes</u>
<u>Dwelling Units for Farm Workers</u>	<u>No</u>	<u>No</u>	<u>Yes</u>
<u>Rural Event Center</u>	<u>No</u>	<u>No</u>	<u>No</u>
<u>Earned Development Units</u>	<u>No</u>	<u>No</u>	<u>No</u>
<u>Farm Equipment Storage and Repair Facilities</u>	<u>No</u>	<u>Yes</u>	<u>Yes</u>
<u>Farm Management Plan</u>	<u>No</u>	<u>Yes</u>	<u>Yes</u>
<u>Day Care Centers</u>	<u>No</u>	<u>No</u>	<u>No</u>
<u>Mixed-Use (residential portion is based on number of dwelling units rather than sq. ft.)</u>	<u>No</u>	<u>No</u>	<u>No</u>
<u>Retail Sales and Services</u>	<u>No</u>	<u>No</u>	<u>No</u>
<u>Banking and Financial Services</u>	<u>No</u>	<u>No</u>	<u>Yes .22 FAR</u>
<u>Cultural Center, including associated overnight lodging</u>	<u>No</u>	<u>No</u>	<u>No</u>
<u>Eating and Drinking Establishments</u>	<u>No</u>	<u>No</u>	<u>No</u>
<u>Governmental Services</u>	<u>No</u>	<u>No</u>	<u>Yes .24 FAR</u>
<u>Health Care Services</u>	<u>No</u>	<u>No</u>	<u>No</u>

¹ The growing, harvesting, and managing of agricultural products is allowed in all zones. However, the sale of agricultural products shall be limited to APZ-I and APZ-II.

² **Communication Towers are further regulated by ICC 17.03.180.L.8**

a) Should any of the above uses be listed twice (eg. A bed and breakfast inn is also considered a Home Industry), the more restrictive standard shall apply.

b) Additional Conditions of Development:

(i) No subdivision of lands shall occur within the Clear Zone or APZ-I unless said lands contain more than one (1) Existing Single

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Family Dwelling Unit legally established prior to the effective date of this Chapter, in which case subdivision may be permitted so each Dwelling Unit is on a separate Lot.

- (ii) All development must meet the site coverage, open space, setbacks, and height standards of the respective underlying zone. For all utilities and communication development in APZ-I, no above ground transmission lines are permitted.
- (iii) For parcels completing farm management plans, **Earned Development Units** EDU²s(EDUs) may be earned on parcels located within APZ I and APZ II. However, those EDU²s earned on parcels within the APZ²s may be allocated only to parcels outside of the APZ²s as consistent with ICC 17.03.180.F.
- (iv) No PRD's shall occur within the Clear Zone, APZ-I or APZ-II.

2. The following table describes use that may be established within the Oak harbor UGA on parcels located within Accident Potential Zones. If applicable, allowed uses indicate a maximum Floor Area Ratio.

<u>USES</u>	<u>CLEAR ZONE</u>	<u>APZ-I</u>	<u>APZ-II</u>
<u>OH-I</u>			
<u>Permitted Uses</u>			
<u>Accessory Uses</u>	<u>N/A</u>	<u>N/A</u>	<u>Yes</u>
<u>Bedding¹, carpet² and pillow¹ manufacture, cleaning³ and renovating³</u>	<u>N/A</u>	<u>N/A</u>	<u>See Footnote</u>
<u>Bottling and processing of non-alcoholic beverages, the production of which is devoid of fumes, noxious odors, or waste products</u>	<u>N/A</u>	<u>N/A</u>	<u>Yes .56</u>
<u>Canning, processing and freezing of fruit and vegetables</u>	<u>N/A</u>	<u>N/A</u>	<u>Yes .56</u>
<u>Cold storage plants</u>	<u>N/A</u>	<u>N/A</u>	<u>Yes 2.0</u>
<u>Food² and drug¹ processing</u>	<u>N/A</u>	<u>N/A</u>	<u>See Footnote</u>
<u>Retail Sales and Services</u>	<u>N/A</u>	<u>N/A</u>	<u>Yes .22</u>
<u>Storage, Personal and Outdoor</u>	<u>N/A</u>	<u>N/A</u>	<u>Yes 2.0</u>
<u>Warehousing and distribution centers</u>	<u>N/A</u>	<u>N/A</u>	<u>Yes 2.0</u>
<u>Manufacture and assembly of light and small items made from previously prepared materials and includes operations which do not create noise, smoke, odor, vibration or other objectionable nuisances to the extent that they are detrimental to surrounding uses</u>	<u>N/A</u>	<u>N/A</u>	<u>Yes .56</u>

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<u>Assembly, manufacture, rebuilding, compounding, processing, preparation, or treatment of such articles or products as: Batteries¹, bottles², mattresses¹, furniture², tools², hardware², and paper products², but not the manufacture of paper itself</u>	<u>N/A</u>	<u>N/A</u>	<u>See Footnote</u>
<u>Machine, welding, or metal working shop, but not including punch presses, drop hammers, or other noise and vibration producing equipment</u>	<u>N/A</u>	<u>N/A</u>	<u>Yes .56</u>
<u>Woodworking shop</u>	<u>N/A</u>	<u>N/A</u>	<u>Yes .56</u>
<u>Minor utilities</u>	<u>N/A</u>	<u>N/A</u>	<u>Yes .56</u>
Conditional Uses			
<u>Any conditional use permitted in the OH-I zone⁴</u>	<u>N/A</u>	<u>N/A</u>	<u>See Footnote</u>
<u>Cement and asphalt plants</u>	<u>N/A</u>	<u>N/A</u>	<u>Yes .56</u>
<u>Electroplating</u>	<u>N/A</u>	<u>N/A</u>	<u>Yes .56</u>
<u>Manufacture or processing of such non-durable goods as: chemical and allied products, petroleum products, fertilizers, but excluding explosives and ammonia</u>	<u>N/A</u>	<u>N/A</u>	<u>No</u>
<u>Metal fabrication and boiler or tank works</u>	<u>N/A</u>	<u>N/A</u>	<u>Yes .56</u>
<u>Mixing plants for concrete or paving material⁵</u>	<u>N/A</u>	<u>N/A</u>	<u>Yes .56</u>
<u>Off-site hazardous waste treatment and storage facilities, provided that such facilities meet the State siting criteria adopted pursuant to the requirements of RCW 70.105.210</u>	<u>N/A</u>	<u>N/A</u>	<u>No</u>
<u>Oxygen manufacture and/or storage</u>	<u>N/A</u>	<u>N/A</u>	<u>No</u>
<u>Tire retreading</u>	<u>N/A</u>	<u>N/A</u>	<u>No</u>
<u>Produce stand</u>	<u>N/A</u>	<u>N/A</u>	<u>Yes .24</u>
<u>Rodenticide, insecticide and pesticide mixing plants</u>	<u>N/A</u>	<u>N/A</u>	<u>No</u>
OH-HSC			
Permitted Uses			
<u>Accessory Uses</u>	<u>N/A</u>	<u>N/A</u>	<u>Yes</u>
<u>Automobile and Truck Service Stations</u>	<u>N/A</u>	<u>N/A</u>	<u>Yes .22</u>
<u>Automobile Sales and Service</u>	<u>N/A</u>	<u>N/A</u>	<u>Yes .28</u>
<u>Boat Sales and Boat Repair</u>	<u>N/A</u>	<u>N/A</u>	<u>Yes .28</u>
<u>Drive-in Banks</u>	<u>N/A</u>	<u>N/A</u>	<u>Yes .22</u>

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<u>Restaurants</u>	<u>N/A</u>	<u>N/A</u>	<u>No</u>
<u>Real Estate Sales; Governmental Services</u>	<u>N/A</u>	<u>N/A</u>	<u>Yes .22</u>
<u>Self Storage Warehouse</u>	<u>N/A</u>	<u>N/A</u>	<u>Yes 2.0</u>
<u>Conditional Uses</u>			
<u>Any permitted use that exceeds twelve thousand (12,000) square feet of gross floor area may be allowed upon Site Plan Approval processed as a Type II decision pursuant to Chapter 16.19 ICC⁴</u>	<u>N/A</u>	<u>N/A</u>	<u>Yes</u>
<u>Major Utilities and Essential Public Facilities may be allowed upon Site Plan Approval processed as a Type III decision pursuant to Chapter 16.19 ICC</u>	<u>N/A</u>	<u>N/A</u>	<u>Yes .56</u>
<u>OH-PIP</u>			
<u>Conditional Uses</u>			
<u>Accessory uses</u>	<u>N/A</u>	<u>N/A</u>	<u>Yes</u>
<u>Assembly, manufacture, packaging, compounding or treatment of articles or merchandise from the following previously prepared materials: cloth¹, glass², lacquer¹, leather¹, paper², plastics¹, precious or semi-precious metals or stones¹, wood² (excluding sawmills, lumber mills and planing mills), paint², clay², sand², rubber¹</u>	<u>N/A</u>	<u>N/A</u>	<u>See Footnote</u>
<u>Printing, publishing and book binding</u>	<u>N/A</u>	<u>N/A</u>	<u>Yes .56</u>
<u>Manufacturing, processing and packaging of food², pharmaceuticals¹, toiletries, cosmetics, optical goods¹, scientific instruments and equipment¹, and precision instruments and equipment¹</u>	<u>N/A</u>	<u>N/A</u>	<u>See Footnote</u>
<u>Scientific research, testing and experimental development laboratories</u>	<u>N/A</u>	<u>N/A</u>	<u>No</u>
<u>Corporate headquarters, regional headquarters and administrative offices of commercial, industrial, financial, charitable or governmental institutions</u>	<u>N/A</u>	<u>N/A</u>	<u>Yes .22</u>
<u>Upholstery shop</u>	<u>N/A</u>	<u>N/A</u>	<u>Yes .56</u>
<u>Auto repair of all kinds, including body and fender work, provided there shall be no wrecking, junking, dismantling, or salvaging operations</u>	<u>N/A</u>	<u>N/A</u>	<u>Yes .22</u>
<u>Feed and seed store, retail or wholesale</u>	<u>N/A</u>	<u>N/A</u>	<u>Yes .56</u>

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<u>Gun Club and Shooting Range</u>	<u>N/A</u>	<u>N/A</u>	<u>No</u>
<u>Marine craft, equipment and supply sales, and repair and service of small craft</u>	<u>N/A</u>	<u>N/A</u>	<u>Yes .28</u>
<u>Nursery and landscape material including greenhouses</u>	<u>N/A</u>	<u>N/A</u>	<u>Yes .28</u>
<u>Plumbing shop</u>	<u>N/A</u>	<u>N/A</u>	<u>Yes .28</u>
<u>Sign shop</u>	<u>N/A</u>	<u>N/A</u>	<u>Yes .28</u>
<u>Lumber yard, retail or wholesale, including building supplies, hardware, and related items</u>	<u>N/A</u>	<u>N/A</u>	<u>Yes .28</u>
<u>Storage, Personal and Outdoor</u>	<u>N/A</u>	<u>N/A</u>	<u>Yes 2.0</u>
<u>Vocational and technical schools</u>	<u>N/A</u>	<u>N/A</u>	<u>No</u>
<u>Private club, lodge, convent, social or recreational building or community assembly hall, (except those having a chief activity carried on for monetary gain)</u>	<u>N/A</u>	<u>N/A</u>	<u>No</u>
<u>Training facilities, including but not limited to music, dance, martial arts, photography, health clubs</u>	<u>N/A</u>	<u>N/A</u>	<u>No</u>
<u>Warehousing and distribution centers</u>	<u>N/A</u>	<u>N/A</u>	<u>Yes 2.0</u>
<u>Retail Sales and Services</u>	<u>N/A</u>	<u>N/A</u>	<u>Yes .22</u>
<u>Uses similar to, or related to, or compatible with those listed or described in this section are permitted upon a finding by the Planning Director that a proposed use does not conflict with the intent of this section or the policies of the Oak Harbor Comprehensive Plan. The criteria for such finding of similarity, relationship or compatibility shall include, but not limited to the following:</u> <u>a) The proposed use will not significantly impact surrounding uses.</u> <u>b) The development standards for permitted uses can be met by the proposed use.</u> <u>c) Impacts, such as traffic, noise and air quality will not be significantly different than those generated by permitted uses</u>	<u>N/A</u>	<u>N/A</u>	<u>Yes</u>
<u>Overnight Lodging;</u>	<u>N/A</u>	<u>N/A</u>	<u>No</u>

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<u>Minor and Major Utilities and Essential Public Facilities</u>	<u>N/A</u>	<u>N/A</u>	<u>Y .56</u>
<u>Temporary Uses</u>	<u>N/A</u>	<u>N/A</u>	<u>Y</u>

* Upon adoption of this ordinance there were no UGA lands within the Clear Zone or APZ-I. In the future, if the UGA is expanded into the Clear Zone or APZ-I these uses and standards will need to be revised.

¹ No

² Yes, Maximum FAR .56

³ Yes, Maximum FAR .22

⁴ Only as permitted herein

⁵ Activity shall not produce smoke, glare, or involves explosives

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- a) No new Residential uses will be permitted.
 - b) Existing residential uses are exempt.
 - c) Density shall not exceed 50 people per Acre in APZ II or the FAR standard for the specific use. When density standards don't compliment one and other, the more restrictive shall apply.
 - d) For sites already developed to the maximum FAR, changes of use are permitted only in cases where the proposed new use has the same or more restrictive maximum FAR than the current use.
3. Density. Should dwelling units for farm workers be located on a subject property, the maximum density will be one (1) dwelling unit per acre.
 4. Designation Criteria -. All areas within any of the Aircraft Accident Potential Zones as delineated on Map C.1 of the Island County Comprehensive Plan and defined in this Chapter 17.02.030, shall be subject to the provisions of this eChapter.
 5. All lands regulated by this subsection shall not exceed the land use and density recommendations as outlined in Table 6-3 of the AICUZ Study Update for Naval Air Station Whidbey Island's Ault Field and Outlying Landing Field Coupeville, Washington dated March 2005, unless allowed herein nor the standards of the Policy Plan and Land Use Element.
 6. Exceptions. Through the Conditional Use process an applicant may review the AICUZ Study Update for Naval Air Station Whidbey Island's Ault Field and Outlying Landing Field Coupeville, Washington dated March 2005 and provide an analysis of the compatibility of the proposed use.

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Exhibit B1

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Exhibit B4

Major Issues

Airport and Aviation Impacts

Airports and related support facilities are an important part of the transportation network serving Island County. They range from the U.S. Naval Air Station to small private landing strips, and these airports provide public benefits to the community.

Island County aviation facilities represent a significant capital investment. Existing and potential economic benefits derived from these airports will be recognized. Negative impacts will be minimized and/or mitigated to the greatest extent reasonably possible. Future airport expansion and surrounding land development will have compatibility as their goal.

There are several classifications of airports, or aviation facilities, recognized by the Federal Aviation Administration. The ones currently sited in Island County include:

Private: General use by public at large prohibited, except in emergency or by specific authorization.

Limited: Intended for private use. Public not prohibited.

Commercial: Privately owned. Intended for general use by the public. (Wes Lupien Air Park, Whidbey Air Park, Camano Island Air Field)

Military: Owned and/or operated by the Federal Government. General use by the public is prohibited unless in an emergency or by specific authorization. (NAS Whidbey/OLF Coupeville)

Other aviation facilities not classified as airports include seaplane landing sites, heliports, and privately owned ultralight landing strips.

Airport facilities are described in Island County Transportation Plan Table V-9.²

The three commercial airports in Island County vary in size and intensity of use. They primarily serve the needs of the general, commercial and aeromedical aviation communities.

The two military airports in Island County also vary in size and use. Ault Field, the main airport complex for NAS Whidbey Island, is located north of the City of Oak Harbor. OLF Coupeville is a facility currently dedicated to Field Carrier Landing Practice (FCLP) and is located in central Whidbey Island southeast of the Town of Coupeville.

The use of private or limited civil airports, seaplane landing sites, private heliports, and private ultralight landing strips, where the property owner intends to use a landing area solely for his or her own personal use, could negatively impact residents of surrounding properties. Careful siting of such facilities is necessary to avoid conflicts with other permitted uses in rural areas.

Island County recognizes the benefits and economic opportunities that airports can provide. The county also recognizes its responsibility to protect the health, safety, and welfare of its residents, while promoting compatible coexistence of airports with surrounding land uses.

² See Transportation Element.

Island County Comprehensive Plan • Policy Plan/Land Use Element

1 Each airport in Island County has impacts on surrounding land uses that deserve special
2 planning considerations. The three existing commercial airports require somewhat less
special planning than military airports.

3 Naval Air Station (NAS) Whidbey Island, including the outlying Field at Coupeville and the
4 Seaplane Base, represent the dominant economic force in Island County. It is home to all the
5 U.S. Navy's EA-6B electronic warfare aircraft, and the Pacific Fleet's P-3 patrol squadrons.
6 NAS Whidbey provides the site for many logistical, maintenance, and training units that
support the Navy's air, surface, and shore establishments in the northwest United States and
Pacific Rim. NAS Whidbey also is the home of Navy and Marine Reserve squadrons,
surface, and support units. In 1993, NAS Whidbey had approximately 12,000 military and
civilian personnel.

7 NAS Whidbey is a strategically located national asset. It is the only Navy and Marine Air
8 facility in the entire northwest quadrant of the United States. It constitutes a significant
capital investment in our region by the federal government.

9 Island County recognizes the impact that closure of NAS Whidbey would have on all levels
10 of the economic and social fabric of the County. This would result in a population loss of
approximately 24,000 military and dependent personnel and a \$300 million annual payroll.
11 Given the multiplier effect, this would amount to a loss of approximately \$750 million. Island
County's land use decisions will support the retention and future use of these facilities for use
by military aviation.

12 The military airports in Island County are owned by the United States Government and
13 operated by the Department of the Navy. These aviation facilities (Ault Field and Outlying
Field [OLF] Coupeville) necessitate special planning and land use considerations. The high
14 sound levels generated by aircraft using these airports mandates some considerations unique
to these facilities, such as sound attenuation.

15 Flight operations at the military airports in Island County raise potential safety and accident
16 issues. Around both military airports are designated Accident Potential Zones (APZs) To
protect public health, safety, and welfare and to protect the operational use of military
17 airports. Island County will ensure that future development in APZs is at the lowest possible
density consistent with the underlying land use designation.

18 Maps C and D identify the Island County aviation impact areas and noise zones.
19 Superimposed on the maps are overlays for the airport sound disclosure boundaries, sound
attenuation building code boundaries, aircraft noise contours, military airport Accident
20 Potential Zones, and designated Seaplane Sites.
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Naval Air Station (NAS) Whidbey Island

In 1942, a directive from the Chief Naval Officer was given to find an adequate location for the rearming and refueling of Navy patrol planes which were operating in defense of the Puget Sound area at the height of World War II. A suitable site was located just north of the City of Oak Harbor and construction began on this base in March of 1942. Ault Field was commissioned in September of that year. Ault Field first saw use as a site of recruit and officer training, torpedo overhaul, rocket firing training, and seaplane patrol operations, as well as a munitions and refueling station.

In September of 1943, Coupeville Outlying Field (OLF) became operational as an auxiliary air strip to Ault Field.

The combination of these two air fields is known as Naval Air Station (NAS) Whidbey Island and has become the premier Naval Air Station for electronic attack and patrol and reconnaissance squadrons. This is due to a multitude of factors, the most important being NAS Whidbey's location. The location of Ault Field just north of Oak Harbor, allows training to be carried out over the Pacific Ocean with little or no effect on civil aviation or civil transmissions (TV, Radio, etc.). NAS Whidbey Island manages hundreds of thousands of square miles of training airspace throughout Washington, Oregon and Nevada and in International airspace and waters off the West Coast of the United States.

NAS Whidbey Island also contains a FSQ Electronic Combat Warfare Threat Simulator, which, combined with the marginal amount of civil aviation and electronic frequency interference allows for optimal electronic warfare training in the immediate vicinity the air station.

The proximity of NAS Whidbey Island to the Bangor Submarine Base and the Bremerton Home Port also allows for optimized opportunities in deployment of electronic attack wings to aircraft carriers as well as providing real submarine and surface "targets" for training in Anti-Submarine and Anti-Surface Warfare.

Additionally, NAS Whidbey Island also contains the Naval Ocean Processing Facility (NOPF) Whidbey Island. This facility provides underwater surveillance of the North Pacific Ocean and works in conjunction with the Canadian Naval Forces.

NAS Whidbey has become an important military installation because of the advantages listed above. This has brought with it an increase in personnel which have had a considerable positive economic effect on Island County. In 1940, the population of Island County was 6,098 residents. In 1950, that population had jumped to 11,079 residents, an 80% increase over that 10 year span. As of 2003, NAS Whidbey Island directly employed approximately 10,066 people with a payroll of \$399.1 million. The total number of people employed by the base represents 68% of the total employment in Island County while the payroll amount represents approximately 52% of all countywide labor earnings.

Island County Comprehensive Plan • Policy Plan/Land Use Element

Further direct impacts to the economy include \$91.1 million in military retiree pensions, \$14.1 million in health care payments to private providers, and \$12.2 million in contracts for goods and services. \$22 million are spent at commissaries and base exchanges, however, these fees do not benefit the State or Island County as they go to out of state vendors. Therefore the direct impact to the state economy is \$494.5 million.

As of 2003, approximately 56.5% of the students enrolled in the Oak Harbor School District were dependents of military personnel. Accordingly, the school districts of Island County received \$4.5 million from NAS Whidbey Island for schooling dependents of military personnel.

It is also understood that NAS Whidbey Island contributes indirectly to the economies of both Island County and the State of Washington. The Washington State Office of Financial Management found that NAS Whidbey Island indirectly and directly accounts for 20,141 jobs within the state of Washington. These 20,141 jobs accrue wages of up to \$775 million, which is then redirected back into the economy.

The total impact of NAS Whidbey Island on Island County accounts for 17,500 jobs which produce \$674 million in wages. This equals 88% of wage disbursements in Island County, making it the most military-dependent county in Washington (Figure 1.4).

Figure 1.4 Total Labor Earnings due to Military Bases Compared to Wage and Salary Disbursements by County†

	<u>Home County Labor Earnings Total Impact, 2003 (\$ millions)</u>	<u>Wage and Salary Disbursements, 2002 (\$ millions)</u>	<u>Military Total Impacts as Percent of Wage and Salary Disbursements</u>
<u>Island</u>	<u>674</u>	<u>767</u>	<u>87.9%</u>
<u>Kitsap</u>	<u>1,756</u>	<u>3,236</u>	<u>54.3%</u>
<u>Pierce</u>	<u>2,867</u>	<u>9,417</u>	<u>30.4%</u>
<u>Snohomish</u>	<u>431</u>	<u>8,633</u>	<u>5.0%</u>
<u>Spokane</u>	<u>570</u>	<u>6,440</u>	<u>8.9%</u>
<u>Yakima</u>	<u>19</u>	<u>2,622</u>	<u>0.7%</u>
<u>Statewide</u>	<u>6,317</u>	<u>111,478*</u>	<u>5.7%†</u>

* Represents Countywide Wage and Salary Disbursements for the entire state

† Military Total Impacts as Percent of Countyside Wage and Salary Disbursements for the entire State

‡ Table produced by the Washington State Office of Financial Management

It is readily apparent that NAS Whidbey is a dominant force in Island County. Because of this, Island County recognizes the impact that closure of NAS Whidbey would have on all aspects of life within the County. Not only would a closure of the base lead to the loss of 17,500 jobs and \$674 million in funds, but it would also lead to a loss of 20,000+ friends, neighbors, and relatives, which would be the most harmful impact to the Island County community.

Island County Comprehensive Plan • Policy Plan/Land Use Element

1 It is also important that Island County's land use decisions are compatible with the retention and
2 future use of NAS Whidbey Island not only for the reasons listed above, but because the Base has
3 a strong relationship with the community and Island County, and that relationship should be
4 maintained.

4 Continuing efforts

5 Historically, encroachment is one the major factors in base closures around the country. It is
6 imperative that encroachment on NAS Whidbey Island is not allowed to compromise the future
7 operation of the Base. For the last 25 years Island County has been at the forefront of Washington
8 State Counties in protecting, through land use planning, the vital interests of NAS Whidbey.
9 Over this period of time, and as the effects of encroachment have been better understood, Island
10 County has continually enhanced regulations aimed at preventing encroachment issues.

8 These efforts have paid off! Island County now offers the United States a unique property in
9 NAS Whidbey Island due to the few encroachment challenges it faces. While air bases across the
10 nation are being closed or scaled back, NAS Whidbey has been recognized as a safe place to fly
11 due, in part, to our proactive land use standards.

11 In 1998, Island County and NAS Whidbey Island worked in partnership to develop new zoning
12 regulations aimed at greater protection of the Base. As a result, the County rezoned land
13 surrounding NAS Whidbey Island and Coupeville OLF to limit future development so it would
14 not exceed one house per 5 acres. The County also took a leadership role with the City of Oak
15 Harbor by developing an Interlocal Agreement with the City that greatly strengthened noise
16 attenuation standards for construction in Noise Zones 2 and 3. Today these standards are
17 consistently and strictly enforced by both Island County and the City of Oak Harbor resulting in a
18 minimum 25-dBA interior noise reduction.

15 Further, we require full noise disclosure notifying potential buyers prior to a sale of any property
16 located in Noise Zone 2 and 3. If landowners, whose property lies in Noise Zone 2 or 3, want to
17 rent they too must provide full disclosure to the future inhabitants.

17 Perhaps the most significant factor in protecting NAS Whidbey Island and Coupeville OLF, is
18 the County's partnership with the Navy. We have a long history of working together with the
19 NAS Whidbey Island Community Planning Liaison Officer, coordinating and providing
20 information for any building and land use permits that may have an impact on the naval
21 operations, and providing SEPA notices to the Navy. We look forward to continuation of the
22 maintenance of this strong relationship. The County is committed to taking the necessary steps to
23 help ensure future operations of the Base for the continuing protection of the citizens of the
24 United States.

23 It is in this spirit that we will be adding new Code in 2006 to further protect NAS Whidbey
24 Island and the residents of Island County. As a display of continued cooperation this new code
25 will regulate lands within the Accident Potential Zones by placing additional limitations on land

1 use and base densities based on the recommendations by the Navy for land development within
2 the APZ's. These new limitations, in combination with those regulations already in place for
3 Noise Zones, will provide an enhanced level safety for NAS Whidbey Island and County
4 residents.

5 The Accident Potential Zones (APZs) are areas extending from the end of the runways which
6 have a higher potential for aircraft accidents. These zones are divided into three separate zones, a
7 Clear Zone, APZ-I, and APZ-II. By limiting development in these areas, the potential human
8 impact of an accident is minimized.

9 Map C.1, Airport and Aviation Safety Overlay, identifies noise zones and Accident Potential
10 Zones within the County. Superimposed on the maps are overlays for the airport sound disclosure
11 boundaries, sound attenuation building code boundaries, aircraft noise contours, military airport
12 APZ's.

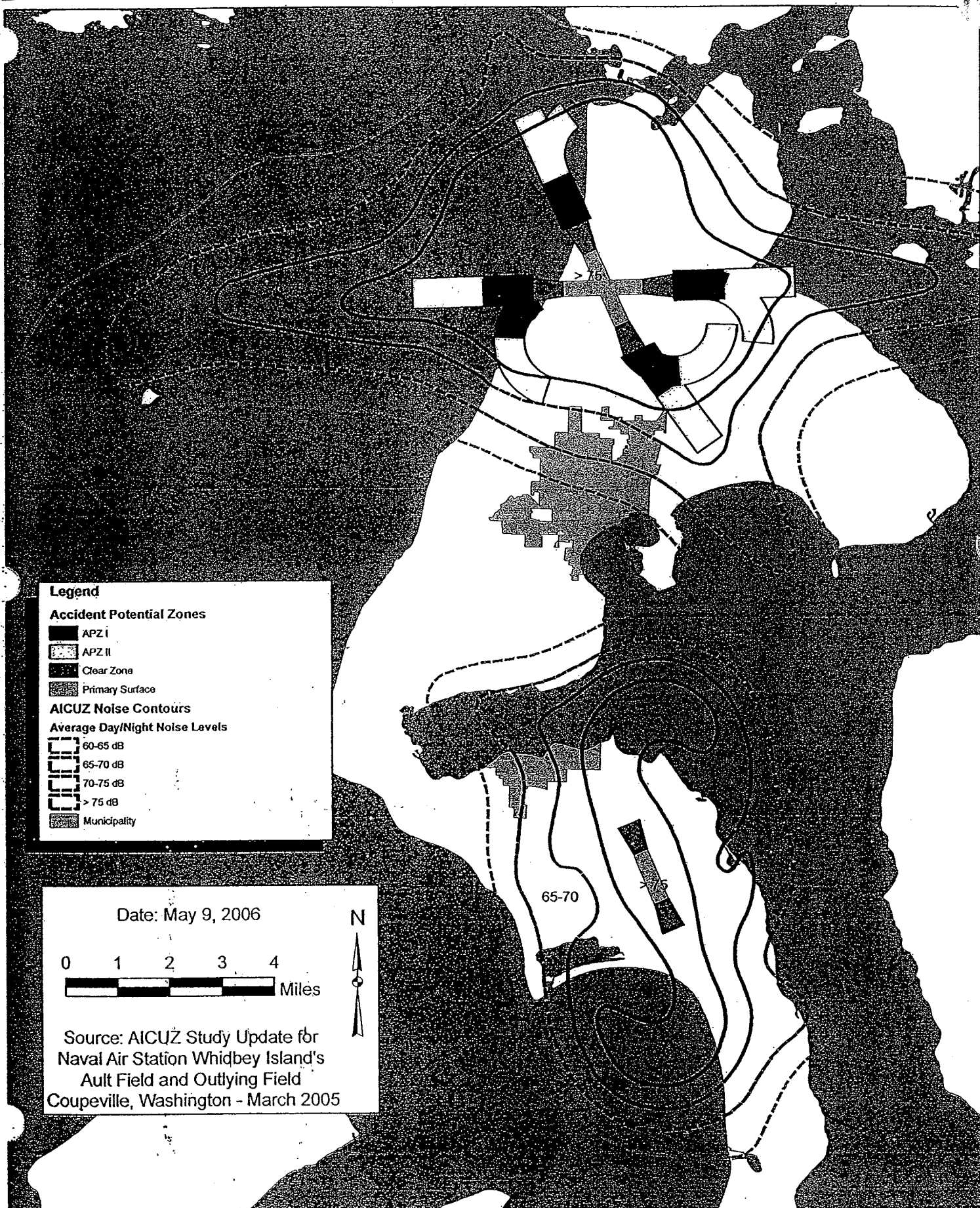
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Map C.1 Island County Airport and Aviation Safety Overlay

MAP C.1

Airport and Aviation Safety Overlay



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Island County Comprehensive Plan • Policy Plan/Land Use Element

Map C-Island County Aviation Impact Areas

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Map D-Island County Noise Zones

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Exhibit B5

General Overlays and Critical Areas

Airport and Aviation Safety Overlay

Definition:

The Airport and Aviation Safety Overlay represents ~~the high noise zone areas of~~ Island County where special land use controls are necessary to assure public health, welfare and safety.

Designation Criteria:

Map C.1 identifies lands as being contained by Accident Potential Zones or AICUZ Noise Contours, ~~Island County Aviation Impact Areas, shall function as the Airport and Aviation Safety Overlay.~~

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Exhibit B6

General Land Use Policies

Island County Comprehensive Plan • Policy Plan/Land Use Element

3. Prohibit activities and land uses which cause or exacerbate existing hazardous geological conditions.
- B. Maps, site-specific studies, and information collected by other agencies available for public review will be made readily accessible to potential and existing landowners, interested citizens, and development interests to aid in the protection of these areas.
- C. Regulation of these areas will take into consideration the sensitivity of the area to disturbance, and the intensity and potential risks associated with a proposed land use.
- D. When a violation of the policies and regulations of this area is identified, the enforcement action and severity of any penalty will be proportional to the nature and circumstances of the violation and the damage or risk to private and public resources.
- E. Overlay policies and development regulations shall be implemented in addition to those associated with the underlying land use designation. When there is a conflict in policy statements or development regulations, the more restrictive shall apply.
- F. Steep and unstable slope regulations are contained in ICC 17.02.

Shorelines Overlay

Goals and policies for the Shorelines Overlay may be found in the Shoreline Management Element of the Comprehensive Plan.

Airport and Aviation Safety Overlay

Goal:

Ensure that future development in the Airport and Aviation Safety Overlay protects public health, safety and welfare.

Policies Applicable to NAS Whidbey Island and All Civilian Airports:

- A. Ensure that the permitting process for any new or expanding airport is subjected to a thorough review. Potential benefits will be carefully considered as will potential adverse impacts.
- B. Ensure that public or private development around existing airports allows the continued use of that facility as an airport. Land within aircraft approach and departure zones will be protected from inappropriate development.
- C. Ensure that new land uses which would attract or accommodate large concentrations of people will not be permitted to locate within approach or departure zones and/or Accident Potential Zones of existing airports.
- D. Help to minimize the number of people exposed to very high aircraft noise levels in areas near airports through compatible land uses. In the highest airport noise level areas open/undeveloped space will be encouraged and land use densities shall remain

low. The objective is to achieve the greatest degree of compatibility and the least public annoyance which can be attained.

- E. Preserve the right of airport owners and operators to continue present operations and allow for future air transportation and airport facility needs. It is also important to consider the present and future use of private property and the rights of private property owners.
- F. New dwellings in moderate and high aircraft noise areas will be built to a noise level reducing standard that is higher than that which is obtained by building to current minimum building code standards. Structural noise attenuation standards in the higher noise areas (NAS/OLF) will be greater than that required in moderate aircraft noise areas.
- G. Island County will notify the airport operator, state and federal aviation agencies, at the time of initial application, of any proposed actions or projects, which would lead to development near an airport that is not compatible with the airport's operations. The airport operator shall notify Island County, and potentially affected citizens, of any proposed operational changes which would have a significant impact on existing land uses.
- H. Land use proposals, structures, or objects that would interfere with the safe operation of aircraft will be examined for compatibility as defined in CFR Title 14, FAR Part 77 and FAA Terminal Instrument Procedures (TERPS) Chapter 12, and WA 31. The object is to permit land uses which allow safe aircraft operations as defined in the documents referenced above.
- I. A public site plan review is required in the event airport operations exceed an operational growth rate of 30% in 3 years which necessitates expansion of existing airport boundaries.⁹
- J. Island County will require a Comprehensive Plan Amendment for the establishment of any proposed new airport.
- K. Require advance notification of future owners or renters of properties within noise impact areas of potentially significant noise impacts.
- L. Overlay policies and development regulations shall be implemented in addition to those associated with the underlying land use designation. When there is a conflict in policy statements or development regulations, the more restrictive shall apply.

Policies Applicable to Military Airports NAS Whidbey Island Only:

- M. Island County will discourage residential development in Aircraft Accident Potential Zones (APZ). To protect the ongoing and future operational use of military airports NAS Whidbey Island, Island County will ensure that future development in

⁹ Take-offs and landings as referenced in Island County Transportation Plan Table V-9.

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ADOPTED

Exhibit B7

17.02.030 Definitions

17.02.030 – Definitions

Aircraft Accident Potential Zone (APZ): Areas based on historical accident and operations data throughout the military and the application of margins of safety within those areas if an accident were to occur.

There are 3 types of Accident Potential Zones:

- Clear Zone - The trapezoidal area lying immediately beyond the end of the runway and outward along the extended runway centerline for a distance of 3,000 feet. For U.S. Navy and Marine Corps installations, the dimensions are 1,500 feet wide at the runway threshold and 2,284 feet wide at the outer edge.
- APZ-I – The rectangular area beyond the Clear Zone, which has a measurable potential for aircraft accidents relative to the Clear Zone. APZ-I is typically 3,000 feet wide by 5,000 feet long and may be rectangular or curved to conform to the shape of the predominant flight track.
- APZ-II – The rectangular area beyond APZ-I, which has a measurable potential for aircraft accidents relative to APZ-I or the Clear Zone. The dimensions of APZ II are typically 3,000 feet wide by 7,000 feet long, and like APZ-I, may be curved to correspond with the predominant flight track.

C-87-07 3/10/08
ADOPTED

Exhibit B8

17.02.050 Overlay Zones

C-87-07 3/10/07
ADOPTED

17.02.050 – Overlay Zones

E. Accident Potential Zones (APZ). The primary purpose of the Accident Potential Zone Overlay is to promote the public health, safety, and general welfare by minimizing the hazards incident to development in the immediate vicinity of aircraft paths of arrival and departure associated with NAS Whidbey.

1.) Allowed Uses in Specific APZ's:

TABLE 17.02.050.D

USES	CLEAR ZONE	APZ-I	APZ-II
Accessory Living Quarters	N	N	Y
Accessory Uses	N	Y	Y
Agriculture or Forest Products Processing	N	Y	Y
Agricultural Products – Growing, Harvesting, Managing and Selling*	Y	Y	Y
Animal Shelter	N	N	Y
Bed and Breakfast Room (No more than 2 rooms)	N	N	Y
Bed and Breakfast Inn (3 to 6 rooms)	N	N	N
Public/Community Boat Launch	N	Y	Y
Campground and Recreation Vehicle Park	N	N	N
Church	N	N	N
Communication Tower	N	Y	Y
Country Inn (7 to 40 rooms)	N	N	N
Day Care Nursery (6 or fewer persons)	N	N	N
Small Day Care Center (7 to 12 persons)	N	N	N
Equestrian Center	N	N	N
Essential Public Facilities	N	N	N
Seasonal Farmer's Market	N	N	Y
Farm Produce Stand and Forest Product Stand	N	N	Y
Fire Station	N	N	Y
Forest Products – Growing, Harvesting, Managing and Selling	N	Y	Y
Group Home	N	N	N
Guest Cottage	N	N	Y
Gun Club and Shooting Range	N	N	N
Home Industry	N	N	Y
Home Occupation	N	N	Y
Kennel	N	N	Y
Livestock Husbandry	N	Y	Y
Minor Utilities	N	Y	Y
Major Utilities	N	Y	Y
Mobile Homes (for single wide homes – must have at least 2.5 acres)	N	Y	Y

Mobile/Manufactured Home Park	<u>N</u>	<u>N</u>	<u>N</u>
Schools, Public and Private	<u>N</u>	<u>N</u>	<u>N</u>
Seasonal Sale of Farm Produce	<u>N</u>	<u>N</u>	<u>Y</u>
Single Family Dwelling	<u>N</u>	<u>Y</u>	<u>Y</u>
Small Scale Recreation Use	<u>N</u>	<u>N</u>	<u>N</u>
Small Scale Tourist Use	<u>N</u>	<u>N</u>	<u>N</u>
Storage Facilities, Personal	<u>N</u>	<u>Y</u>	<u>Y</u>
Surface Mine	<u>N</u>	<u>Y</u>	<u>Y</u>
Temporary Uses	<u>N</u>	<u>N</u>	<u>Y</u>
Water Tank	<u>N</u>	<u>Y</u>	<u>Y</u>
Recreational Aerial Activities	<u>N</u>	<u>N</u>	<u>N</u>
Veterinarian Clinic	<u>N</u>	<u>N</u>	<u>N</u>
Winery	<u>N</u>	<u>N</u>	<u>Y</u>
Dwelling Units for Farm Workers	<u>N</u>	<u>N</u>	<u>Y</u>
Earned Development Units	<u>N</u>	<u>N</u>	<u>N</u>
Farm Equipment Storage and Repair Facilities	<u>N</u>	<u>Y</u>	<u>Y</u>
Farm Management Plan	<u>N</u>	<u>Y</u>	<u>Y</u>
Day Care Centers	<u>N</u>	<u>N</u>	<u>N</u>
Eating and Drinking Establishment	<u>N</u>	<u>N</u>	<u>N</u>
Mixed-Use (residential portion is based on number of dwelling units rather than sq. ft.)	<u>N</u>	<u>N</u>	<u>N</u>
Retail Sales and Services	<u>N</u>	<u>N</u>	<u>N</u>

* - The growing, harvesting, and managing of agricultural products is allowed in all zones. However, the sale of agricultural products shall be limited to APZ-I and APZ-II.

a. Should any of the above uses be listed twice (eg. A bed and breakfast inn is also considered a Home Industry), the more restrictive standard shall apply.

b. Additional Conditions of Development:

- i. No subdivision of lands shall occur within the Clear Zone or APZ-I.
- ii. All development must meet the site coverage, open space, setbacks, and height standards of the respective underlying zone.
- iii. For all utilities and communication development in APZ-I, no above ground transmission lines are permitted.
- iv. For parcels completing farm management plans, EDU's may be earned on parcels located within APZ I and APZ II. However, those EDU's earned on parcels within the APZ's may be allocated only to parcels outside of the APZ's as consistent with ICC 17.03.180.F.
- v. No PRD's shall occur within the Clear Zone, APZ-I or APZ-II.

Accident Potential Zones (APZs) around Ault Field and Outlying Field Coupeville is at the lowest possible density consistent with the underlying land use designation.

N. If the Department of Defense should declare surplus any portion of NAS Whidbey Island, the County will work closely with federal and state officials, the City of Oak Harbor, and other appropriate entities to ensure that the base capital facilities are put to the best economic use, consistent with city and county comprehensive plans.

O. Island County will continue to work with NAS Whidbey Island to ensure land use will remain compatible with the changing needs and uses of NAS Whidbey Island.

Archaeologically Significant Areas

Goal:

To identify Island County's archaeological resources, and to protect and preserve the cultural, historical, social, educational, and scientific value of these resources in a manner that respects their cultural significance.

Policies:

- A. The County will prepare and maintain a current inventory of all known and suspected historic and archaeological sites in cooperation with the State Office of Archaeology and Historic Preservation and officials from the affected Indian tribe. This inventory will be kept in a secure location and used by County staff only for the purpose of verifying the presence of an archaeological site on a subject property. The County shall update its inventory of archaeological sites by incorporating information contained in the archaeological reports required by Section D below. Additionally, should any new archaeological site be discovered during development or otherwise, the County shall also incorporate information obtained from the newly discovered site in its inventory and shall forward or cause to be forwarded this information to the state Office of Archaeology and Historic Preservation and the affected Tribe.
- B. The County will prepare and implement procedures identifying and protecting archaeological sites within its jurisdiction. The County shall provide the affected Tribe, the Office of Archaeology and Historic Preservation, the Trust Board of the Ebey's Landing National Historical Reserve and the Island County Historical Society with a copy of these procedures and any amendments hereto.
- C. The County will ensure that affected tribal organization(s) and the Office of Archaeology and Historic Preservation are involved in the review of projects having potential impacts on archaeological sites by, at a minimum, providing the affected Tribe, organization and agency with a copy of the permit application for all such projects and notifying the owner or project proponent of his/her responsibility to consult with the affected Native American Tribe.
- D. Where a proposed development is located on or near an archaeological site, the County will require the property owner or project proponent to engage a qualified professional archaeologist to investigate and report to the County upon the location, condition, extent

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2. Density.

Should dwelling units for farm workers be located on a subject property, the maximum density will be 1 dwelling unit per acre.

3. Designation Criteria – All areas within any of the Accident Potential Zones as delineated on Map C.1 of the Comprehensive Plan and defined in Chapter 17.02.030, shall be subject to the provisions of this chapter.

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ADOPTED

Exhibit B9

17.03.040 Definitions

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ADOPTED

17.03.040 Definitions

~~Aircraft Accident Potential Zone (APZ): (Reserved.)~~

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ADOPTED

Exhibit B10

17.03.050 Zoning Classifications and Overlays

17.03.050 Zoning Class

D. **Interpretation of Boundaries.** The following rules shall be used to determine the precise location of any Zone boundary shown on the Official Zoning Map of Island County:

1. Boundaries shown as following or approximately following the limits of any city or town shall be construed as following such limits.
2. Boundaries shown as following or approximately following streets shall be construed to follow the centerlines of such streets.
3. Boundary lines which follow or approximately follow platted Lot Lines, Assessor's Parcel property lines or other established property boundaries shall be construed as following such lines.
4. Boundaries shown as following or approximately following section lines, half-section lines, or quarter-section lines shall be construed as following such lines.
5. Boundaries shown as following or approximately following shorelines of any lakes or Puget Sound shall be construed to follow the mean high waterlines of such bodies of water, and, in the event of change in the mean high waterline, shall be construed as moving with the actual mean high waterline.
6. Boundaries shown as following or approximately following the centerlines of streams, rivers, or other continuously flowing water courses shall be construed as following the channel centerline of such water courses taken at mean low water, and, in the event of a natural change in the location of such streams, rivers, or other water courses, the zone boundary shall be construed as moving with the channel centerline.
7. Boundaries shown as separated from, and parallel or approximately parallel to, any of the features listed in paragraphs 1 through 6 above shall be construed to be parallel to such features and at such distances therefrom as are shown on the map.
8. Boundaries should be delineated to avoid dividing a Lot or Parcel into more than one (1) Zone.
9. Boundaries for Airport and aircraft safety. All areas of a parcel located within an Accident Potential Zone (APZ) shall be subject to the limitations imposed by Chapter 17.02.050.E

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Exhibit C

FINDINGS

1. Expansion of the Aircraft Accident Potential Zones (APZs) to form a race track or loop pattern is a critical component in managing land use compatibility now and in the future. This shape provides an enhanced level of protection to Island County residents and the Navy by expanding the land use standards of APZ II. The race track pattern also takes into account future compatibility issues as a result of the Navy's replacement of their current aircraft squadrons.
2. Future modification of the County's Public Benefit Rating System (PBRs) is necessary to offset the impacts of these regulations on highly affected landowners in APZ I. It is recognized that certain individuals will not be allowed to achieve base density, limiting the future value of their property. Inclusion of these types of lands into the PBRs program will help offset that cost. Additionally, inclusion of these lands into the PBRs program helps properly disperse the negative impacts received by few to the many who benefit from Naval Air Station Whidbey Island.
3. By including APZ development standards for the City of Oak Harbor Urban Growth Area (UGA), consistency of applying APZ regulations to Non UGA, UGA, and City lands has been established. As a result it has produced a transitional effect in the intensity of regulations between Non UGA and City lands.
4. Incorporating APZs into County Code provides an additional avenue to promote public health, safety, and general welfare by minimizing the inherent hazards associated with development occurring near aircraft arrival and departure paths associated with Naval Air Station Whidbey Island.

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ISLAND COUNTY PLANNING & COMMUNITY DEVELOPMENT

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TRANSMITTAL AND REPORT MEMORANDUM

DATE: July 11, 2007

TO: Board of Island County Commissioners

REGARDING: CPA 167/06 - Amendments to the Island County Comprehensive Plan and ICC Chapter 17.02 for the inclusion of development standards within Accident Potential Zones (APZ) surrounding NAS Whidbey Island.

FROM: Anthony Boscolo
Assistant Planner

The following amendment is submitted by the Island County Planning Department as a response to the AICUZ Update dated March 2005, for Naval Air Station Whidbey Island's Ault Field and Outlying Landing Field Coupeville, Washington. This amendment proposes changes to the following sections of the Comprehensive Plan as Exhibits A1-A6: Table of Contents, List of Maps, List of Tables and Charts, Major Issues, General Overlays and Critical Areas and General Land Use Policies. The Proposal also updates ICC 17.02.030 Definitions, 17.02.050 Overlay Zones, 17.03.040 Definitions, and 17.03.050 Zoning Classifications and Overlays, Exhibits A7-A10, to define development standards within the Accident Potential Zones.

This report serves as the application and staff report and was submitted in accordance with section 16.26 ICC.

FINDINGS OF FACT

1. Proposal

To protect public health and safety, Island County Planning and Community Development is proposing to address the issue of Accident Potential Zones (APZ's) associated with applicable Naval airfields through the Comprehensive Plan and Island

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County Code. The issues associated with these zones will be defined and dealt with through the creation of a new Comprehensive Plan Overlay and additions to Island County Code. Throughout the Comprehensive Plan current language heavily supports this update although language regarding NAS Whidbey Island is now outdated. Both the issue of ageing language and the application of appropriate standards within the APZ's will be addressed by implementing the following Comp Plan changes:

- a. Updating the Table Of Contents section,
- b. Updating the List Of Maps and List of Figures section,
- c. Striking outdated information associated with the *Airport and Aviation Impacts* in the Major Issues section,
- d. New *NAS Whidbey Island* analysis in the Major Issues section,
- e. Updating *Airport and Aviation Safety Overlay* in the General Land Use Policies section,
- f. Defining the APZ's and determining Designation Criteria in the General Overlays and Critical Areas section,

Chapter 17.02.050.E will also be produced which will create development standards within the APZ's. These standards will be aimed at maintaining the safety of the public residing in these areas of increased accident potential. The definition of an APZ will also be added to the Definitions section of 17.02 and eliminated from the Definitions section of Chapter 17.03.

2. Background

In 1998, Island County adopted the Comprehensive Plan. Within the Comprehensive Plan, *Airport and Aviation Impacts* were considered under the Major Issues section because of the many public benefits that are derived from not only NAS Whidbey, but private landing strips as well.

However, it is also recognized that these airstrips can pose a threat to public safety as well. The Comp Plan states, "The County also recognizes its responsibility to protect the health, safety, and welfare of its residents while promoting compatible coexistence of airports with surrounding land uses".

During the 1998 Adoption of the Comprehensive Plan, APZ's had not been delineated for NAS Whidbey Island and thus the County could not regulate development in these zones accordingly.

However, in March 2005, The Onyx Group prepared the *AICUZ Update for Naval Air Station Whidbey Island's Ault Field and Outlying Landing Field Coupeville, Washington* (hence known as the *AICUZ Update*) for the Naval Facilities Engineering Command (NAVFAC) Southwest. This document delineated the extent of the APZ's for Ault Field.

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There are three APZ's (Exhibit A4, Map C). The first APZ is the Clear Zone, which is a trapezoidal area that begins at the end of the runway and extends 3,000 feet along the runway centerline. The width of the Clear Zone at the runway is 1,500 feet and 2,284 feet at the outer edge. Both Ault Field and Coupeville Outlying Field (OLF) contain Clear Zones as all active runways must maintain a Clear Zone.

APZ-I is a rectangular area beyond the Clear Zone. APZ I is 5,000 feet long by 3,000 feet wide. APZ I may be rectangular or it may curve to conform to the predominant flight track.

The third APZ area is APZ-II, which is 7,000 feet long by 3,000 feet wide. APZ-II begins at the end of APZ-I and may also be rectangular or follow the predominant flight track.

The County has chosen to extend APZ-II beyond the Navy recommended 7,000 feet, producing a 'race track' pattern or 'loop'. This pattern is the path flown in a complete takeoff and landing cycle.

Of the two Naval Airfields on Whidbey Island, only Ault Field contains APZ-I and APZ-II zones. This is because APZ's I and II are only provided for runways that experience 5,000 or more departures or arrivals per year.

NAS Whidbey Island

In 1942, Naval Air station Whidbey Island was created for the purposes of rearming and refueling patrol planes operating in the northern Pacific Ocean during World War II. Since then, NAS Whidbey Island has become a vital part of Island County.

NAS Whidbey Island contributes nearly 11,000 jobs directly and indirectly creates up to 17,500 jobs to the local economy. These 17,500 jobs account for \$674 million in wages, which is 88% of the wage disbursements in Island County.

On top of the economic factor is the impact to the local community that is attributed to the Naval Air Station. In 2002, over 600 Navy volunteers contributed 10,300 hours to the Oak Harbor School District alone. The Navy has also had volunteers active in beach clean up programs, boys and girls clubs, salmon habitat partners, and adopt-a-highway cleanup programs.

It is imperative that the Comprehensive Plan recognizes the importance of the Naval Air Station. The proposed changes to the Comprehensive Plan will set a standard for regulation which ensures the ongoing and future use of the Air Station on Whidbey Island.

3. Land Use Analysis

The following land designations exist within proposed APZ's: Commercial Agriculture, Rural Agriculture, Rural Forest, Rural, Rural Residential, Rural Village, Rural Service,

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Park, Federal Lands, and Municipality. These land designations allow for a wide variety of Permitted and Conditional uses. The APZ's will limit those uses. Some examples of uses that will be limited are Guest Houses, Bed and Breakfasts, Home Industries, Day Cares, and public gatherings locations such as churches, campgrounds, and inns. In a limited number of cases the development standards will prevent base density from being achieved.

The following chart displays the number parcels and their zoning classes which have a portion of their land within an APZ. By applying these regulations the portion of a parcel that is within an APZ would have to comply with the standards of that APZ.

Parcels subject to APZ regulations by Zone				
Zone	Clear Zone	APZ I	APZ II	APZ II ic
Rural	7	113	320	580
Rural Residential			89	
Rural Agriculture	2	11	8	8
Commercial Agriculture			9	
Rural Forest			6	7
Rural Service		1		
Rural Village				5
Park				3
Federal	2	6	4	1
Municipality		3	14	2
Total	11	134	450	606

Clear Zone

Of the 11 total parcels which have a portion of their land in this APZ three (3) are under federal ownership. Of the remaining eight (8) only one (1) has the majority of its area within the boundaries of this APZ and it is currently developed.

APZ I

Of the 134 total parcels which have a portion of their land in this APZ eighteen (18) meet the minimum size of their respective land use zoning category that would enable further subdivision and are not under federal ownership. Of this subgroup nine (9) have the majority of their land within APZ I and six (6) are currently undeveloped. If these nine are allowed to subdivide they have the potential to create twenty-four (24) parcels.

APZ II

Due to the large number of properties and variety of possible uses only a general qualitative analysis was performed and summarized in the Uses section bellow. It should also be noted that none of the parcels in this APZ have a land use zoning designation of Rural Village or Rural Service.

APZ II ic

As with APZ II impacts to landowners in this APZ are relatively minor but there are five (5) parcels which could be significantly impacted. These five (5) have a land use zoning

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designation of Rural Village and each one is currently developed. If the current use of these properties were to change they would then become subject to the regulations imposed by the APZs.

It is the recommendation of the Planning Department that parcels which cross APZ boundaries, and which intend to subdivide, be allowed to do so, provide they shift their development in the least restrictive portion of the property, either to areas outside the APZ entirely or into a less restrictive APZ. This recommendation is intended to allow subdivision of lands for parcels which are partly within the Clear Zone or APZ I and which have enough land outside the Clear Zone and APZ I to support building sites for the subdivision.

Due to limits placed on achieving base density in the Clear Zone and APZ I, analysis during the Planning Commission Hearings was focus to lands in those areas, more specifically on Rural Zoned lands in APZ I. In the Planning Commission Findings of Fact dated August 22, 2006, Finding 4e determined that minimal impact was anticipated for those lands. Additional detailed findings were not submitted for lands within the Clear Zone or APZ II. The analysis above is intended to supplement the analysis previously performed.

It should also be noted that in the Findings of Fact Exhibit B sections 17.03.040 Definitions and 17.03.050 D Interpretation of Boundaries were missing. These sections were included in previous versions submitted to the Planning Commission but were unintentionally omitted in the final version.

Uses

Island County Planning and Community Development compared current allowed uses (permitted and conditional) to uses allowed in each APZ as recommended in the *AICUZ Update*. It should be noted that the current Island County Code limits certain structures in these areas due to the presence of AICUZ Noise Zones and thus many of the more intensive uses (such as churches and rural event centers) listed in Table 17.02.050.E as not allowed in the APZ's would not be allowed in these areas anyway.

Table 17.02.050.E lists all Uses allowed within all applicable zones is located in the proposed addition to Chapter 17.02.050 (Exhibit B). This table reflects a more restrictive standard which limits uses associated with a large amount of people required to be present on site.

Often times, a type of use will encompass a number of other uses. This occurs for Home Occupations, Home Industries, Small Scale Recreation and Tourist Uses, and Temporary Uses. Many times a use will be listed in Table 17.02.050.E but will also fall under one of the categories above. Where there is a conflict, the more restrictive standard shall apply.

The Department of Planning and Community Development recommends that the Board of Island County Commissioners approve the adoption of CPA 167/06 to ensure that

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levels of land development remain compatible with recognized public safety standards in the Accident Potential Zones.

Summary Analysis

The current Comprehensive Plan understates the importance of NAS Whidbey Island to the character of Island County. The continuing use of these military installations is vital to the Island County community and must be guaranteed. To ensure that future development does not hinder the use of NASWI, new Comprehensive Plan language has been proposed which will also increase the level of public health and safety.

In addition to the proposed Comprehensive Plan language, a new General Overlay has been added to ICC chapter 17.02. This new section of code regulates the type and intensity of development within the areas known as Accident Potential Zones.

Conclusions

Pursuant to Section 16.26.060.D.1-7 ICC, the Planning Department is required to provide the Board of Island County Commissioners a report that reviews the proposed amendment. This staff report satisfies this requirement.

The proposed amendment is consistent with all elements of the Island County Comprehensive Plan and all development regulations. The Comprehensive Plan supports the health, safety, and welfare of all Island County residents as well as the operations of NAS Whidbey Island. The proposed amendment allows for a specific list of residential and non-residential uses in each of the three specific APZ's. All development proposals will be required to comply with the adopted standards of each land use zone unless further limitations are required through the proposed amendment.

The Department recommends approval of the application.

Island County
Board of County Commissioners

NOTICE OF CONTINUANCE

DATE: 3-3-08

You are hereby notified that the Board of Island County Commissioners has continued the following Public Hearing or Meeting:

TITLE: C-87-07

HEARING DATE: 3-3-08 TIME: 10:15 A.M.

SUBJECT: CODE AMENDMENT - AIRCRAFT ACCIDENT
POTENTIAL ZONE (APZ) UPDATING REGULATION
AND POLICY TO PREVENT FUTURE LAND USE
CONFLICTS WITH LAND SURROUNDING NAS WHIDBEY

CONTINUED TO:

DATE: 03-10-08 TIME: 10:15 A.M.

PLACE: Commissioners Hearing Room
Island County Annex Bldg., Room. 102B
1 NE 6th Street., Coupeville, WA

BOARD OF COUNTY COMMISSIONERS
Island County, Washington

John Dean
Chairman

Posted by:
Clerk of the Board
(360) 679-7397

Island County
Board of County Commissioners

NOTICE OF CONTINUANCE

DATE: 1-14-08

You are hereby notified that the Board of Island County Commissioners has continued the following Public Hearing or Meeting:

TITLE: C-87-07

HEARING DATE: 1-14-08 TIME: 10:30 A.M.


SUBJECT: CODE AMENDMENT - AIRCRAFT ACCIDENT
POTENTIAL ZONE (APZ) UPDATING REGULATION
AND POLICY TO PREVENT FUTURE LAND USE CONFLICTS
WITH LAND SURROUNDING NAS WHIDBEY

CONTINUED TO:

DATE: 03-03-08 TIME: 10:15 A.M.

PLACE: Commissioners Hearing Room
Island County Annex Bldg., Room. 102B
1 NE 6th Street., Coupeville, WA

BOARD OF COUNTY COMMISSIONERS
Island County, Washington


Chairman

Posted by:
Clerk of the Board
(360) 679-7397

Island County
Board of County Commissioners

NOTICE OF CONTINUANCE

DATE: NOVEMBER 26, 2007

You are hereby notified that the Board of Island County Commissioners has continued the following Public Hearing or Meeting:

TITLE: ORDINANCE C-87-07

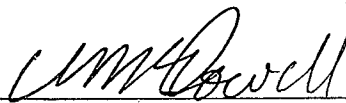
HEARING DATE: 11-26-07 TIME: 2:30 P.M..

SUBJECT: AMENDING CH. 17.02 AND 17.03 I.C.C. THE ISLAND
COUNTY CRITICAL AREAS AND ZONING ORDINANCES
AND THE ISLAND COUNTY COMPREHENSIVE PLAN TO
ADDRESS LAND USE COMPATIBILITY SURROUNDING
NAVAL AIR STATION WHIDBEY ISLAND
CONTINUED TO:

DATE: 01-14-08 TIME: 10:30 A.M..

PLACE: Commissioners Hearing Room
Island County Annex Bldg., Room. 102B
1 NE 6th Street., Coupeville, WA

BOARD OF COUNTY COMMISSIONERS
Island County, Washington


Chairman

Posted by:
Clerk of the Board
(360) 679-7397

Island County
Board of County Commissioners

NOTICE OF CONTINUANCE

DATE: OCTOBER 1 2007

You are hereby notified that the Board of Island County Commissioners has continued the following Public Hearing or Meeting:

TITLE: ORDINANCE C-87-07

HEARING DATE: 10-01-07 TIME: 10:30 A.M.

SUBJECT: AMENDING CH 17.02 AND 17.03 ICC THE ISLAND
COUNTY CRITICAL AREAS AND ZONING ORDINANCES

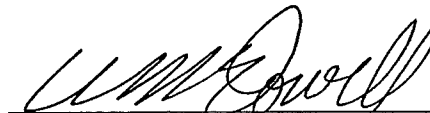
AND THE ISLAND COUNTY COMPREHENSIVE PLAN TO
ADDRESS LAND USE COMPATIBILITY SURROUNDING
NAVAL AIR STATION WHIDBEY ISLAND

CONTINUED TO:

DATE: NOV. 26, 2007 TIME: 2:30 P.M.

PLACE: Commissioners Hearing Room
Island County Annex Bldg., Room. 102B
1 NE 6th Street., Coupeville, WA

BOARD OF COUNTY COMMISSIONERS
Island County, Washington



Chairman

Posted by:
Clerk of the Board
(360) 679-7397

Island County
Board of County Commissioners

NOTICE OF CONTINUANCE

DATE: AUGUST 27, 2007

You are hereby notified that the Board of Island County Commissioners has continued the following Public Hearing or Meeting:

TITLE: ORDINANCE C-87-07

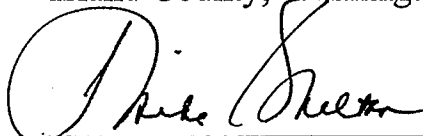
HEARING DATE: 8-27-07 TIME: 2:30 P.M.

SUBJECT: AMENDING CH. 17.02 AND 17.03 I.C.C. THE ISLAND
COUNTY CRITICAL AREAS AND ZONING ORDINANCES
AND THE ISLAND COUNTY COMPREHENSIVE PLAN TO
ADDRESS LAND USE COMPATIBILITY SURROUNDING
NAVAL AIR STATION WHIDBEY ISLAND
CONTINUED TO:

DATE: OCT. 1, 2007 TIME: 10:30 am.

PLACE: Commissioners Hearing Room
Island County Annex Bldg., Room. 102B
1 NE 6th Street., Coupeville, WA

BOARD OF COUNTY COMMISSIONERS
Island County, Washington



Chairman

Posted by:
Clerk of the Board
(360) 679-7397

Commercial Ag

Bed and Breakfast Room	N	
Dwelling Units for Farm Workers	N	
Farm Produce Stand and Forest Product Stand	N	
Guest Cottage	N	
Home Occupation	N	
Temporary Uses	N	
Veterinarian Clinic	N	N
Winery	N	
Day Care Nursery	N	N
Small Day Care Center	N	N
Accessory Living Quarters	N	
Home Industry	N	
Equestrian Center	N	N
Bed and Breakfast Inn	N	N
Recreational Aerial Activities	N	N
Earned Development Units	N	N

Rural Forest

Bed and Breakfast Room	N	
Farm Produce Stand and Forest Product Stand	N	
Guest Cottage	N	
Home Occupation	N	
Temporary Uses	N	
Day Care Nursery	N	N
Group Home	N	N
Accessory Living Quarters	N	
Campground and Recreation Vehicle Park	N	N
Equestrian Center	N	N
Home Industry	N	
Kennel	N	
Bed and Breakfast Inn	N	N
Small Day Care Center	N	N
Recreational Aerial Activities	N	N
Gun Club and Shooting Range	N	N
Church	N	N

Rural Village

Banking and Financial Services	N	
Cultural Center, including associated overnight lodging	N	N
Day Care Centers	N	N
Eating and Drinking Establishments	N	N
Fire Station	N	
Governmental Services	N	
Health Care Services	N	N
Mixed-Use (residential portion is based on number of dwelling units rather than sq. ft.)	N	N
Retail Sales and Services	N	N
Temporary Uses	N	
Veterinarian Clinic	N	N

3-3-08 C-87-07

3/10/08
ADOPTED

Proposed Land Use limitations associated with APZ's by zoning designation

	APZ I	APZ II
Rural		
Animal Shelter	N	
Bed and Breakfast Room	N	
Bed and Breakfast Inn	N	N
Campground and Recreation Vehicle Park	N	N
Church	N	N
Country Inn	N	N
Day Care Nursery	N	N
Small Day Care Center	N	N
Equestrian Center	N	N
Essential Public Facilities	N	N
Seasonal Farmer's Market	N	
Accessory Living Quarters	N	
Farm Produce Stand and Forest Product Stand	N	
Fire Station	N	
Group Home	N	N
Guest Cottage	N	
Gun Club and Shooting Range	N	N
Home Industry	N	
Home Occupation	N	
Kennel	N	
Mobile/Manufactured Home Park	N	N
Schools, Public and Private	N	N
Small Scale Recreation Use	N	N
Small Scale Tourist Use	N	N
Temporary Uses	N	
Recreational Aerial Activities	N	N
Rural Ag		
Accessory Living Quarters	N	
Bed and Breakfast Room	N	
Dwelling Units for Farm Workers	N	
Farm Produce Stand and Forest Product Stand	N	
Guest Cottage	N	
Home Occupation	N	
Temporary Uses	N	
Group Home	N	N
Accessory Living Quarters	N	
Equestrian Center	N	N
Home Industry	N	
Kennel	N	
Bed and Breakfast Inn	N	N
Small Day Care Center	N	N
Recreational Aerial Activities	N	N
Gun Club and Shooting Range	N	N
Church	N	N
Earned Development Units	N	N
Rural Event Center	N	N

17.03.180 Land Use Standards

Z. Aircraft Accident Potential Zone. The primary purpose of the Aircraft Accident Potential Zone (APZ) Overlay is to promote the public health, safety, and general welfare by minimizing the hazards incident to development in the immediate vicinity of aircraft paths of arrival and departure associated with NAS Whidbey.

- The following table describes uses that may be established on non UGA parcels that are located within Accident Potential Zones.

USES	CLEAR ZONE	APZ-I	APZ-II
Accessory Living Quarters	No	No	Yes
Accessory Uses	No	Yes	Yes
Agriculture or Forest Products Processing	No	Yes	Yes
Agricultural Products – Growing, Harvesting, Managing and Selling ¹	Yes	Yes	Yes
Animal Shelter	No	No	Yes
Bed and Breakfast Room (No more than 2 rooms)	No	No	Yes
Bed and Breakfast Inn (3 to 6 rooms)	No	No	No
Public/Community Boat Launch	No	Yes	Yes
Campground and Recreation Vehicle Park	No	No	No
Church	No	No	No
Communication Tower ²	No	No	Yes
Country Inn (7 to 40 rooms)	No	No	No
Day Care Nursery (6 or fewer persons)	No	No	No
Small Day Care Center (7 to 12 persons)	No	No	No
Equestrian Center	No	No	No
Essential Public Facilities	No	No	No
Seasonal Farmer's Market	No	No	Yes
Farm Produce Stand and Forest Product Stand	No	No	Yes
Fire Station	No	No	Yes
Forest Products – Growing, Harvesting, Managing and Selling	No	Yes	Yes
Group Home	No	No	No
Guest Cottage	No	No	Yes
Gun Club and Shooting Range	No	No	No
Home Industry	No	No	Yes
Home Occupation	No	No	Yes
Kennel	No	No	Yes
Livestock Husbandry	No	Yes	Yes
Minor Utilities	No	Yes	Yes
Major Utilities	No	Yes	Yes

Mobile Homes (for single wide homes – must have at least 2.5 acres)	No	Yes	Yes
Mobile/Manufactured Home Park	No	No	No
Schools, Public and Private	No	No	No
Seasonal Sale of Farm Produce	No	Yes	Yes
Single Family Dwelling	No	Yes	Yes
Small Scale Recreation Use	No	No	No
Small Scale Tourist Use	No	No	No
Storage Facilities, Personal	No	Yes	Yes
Surface Mine	No	Yes	Yes
Temporary Uses	No	No	Yes
Water Tank	No	Yes	Yes
Recreational Aerial Activities	No	No	No
Veterinarian Clinic	No	No	No
Winery	No	No	Yes
Dwelling Units for Farm Workers	No	No	Yes
Rural Event Center	No	No	No
Earned Development Units	No	No	No
Farm Equipment Storage and Repair Facilities	No	Yes	Yes
Farm Management Plan	No	Yes	Yes
Day Care Centers	No	No	No
Mixed-Use (residential portion is based on number of dwelling units rather than sq. ft.)	No	No	No
Retail Sales and Services	No	No	No
Banking and Financial Services	No	No	Yes .22 FAR
Cultural Center, including associated overnight lodging	No	No	No
Eating and Drinking Establishments	No	No	No
Governmental Services	No	No	Yes .24 FAR
Health Care Services	No	No	No

¹ The growing, harvesting, and managing of agricultural products is allowed in all zones. However, the sale of agricultural products shall be limited to APZ-I and APZ-II.

² Communication Towers are further regulated by ICC 17.03.180.L.8

- a) Should any of the above uses be listed twice (eg. A bed and breakfast inn is also considered a Home Industry), the more restrictive standard shall apply.
- b) Additional Conditions of Development:
 - (i) No subdivision of lands shall occur within the Clear Zone or APZ-I unless said lands contain more than one (1) Existing Single Family Dwelling Unit legally established prior to the effective date

- of this Chapter, in which case subdivision may be permitted so each Dwelling Unit is on a separate Lot.
- (ii) For all utilities and communication development in APZ-I, no above ground transmission lines are permitted.
 - (iii) For parcels completing farm management plans, Earned Development Units (EDUs) may be earned on parcels located within APZ I and APZ II. However, those EDUs earned on parcels within the APZs may be allocated only to parcels outside of the APZs as consistent with ICC 17.03.180.F.
 - (iv) No PRD's shall occur within the Clear Zone, APZ-I or APZ-II.
2. The following table describes use that may be established within the Oak harbor UGA on parcels located within Accident Potential Zones. If applicable, allowed uses indicate a maximum Floor Area Ratio.

<u>USES</u>	<u>CLEAR ZONE</u>	<u>APZ-I</u>	<u>APZ-II</u>
OH-I			
Permitted Uses			
Accessory Uses	N/A	N/A	Yes
Bedding ¹ , carpet ² and pillow ¹ manufacture, cleaning ³ and renovating ³	N/A	N/A	See Footnote
Bottling and processing of non-alcoholic beverages, the production of which is devoid of fumes, noxious odors, or waste products	N/A	N/A	Yes .56
Canning, processing and freezing of fruit and vegetables	N/A	N/A	Yes .56
Cold storage plants	N/A	N/A	Yes 2.0
Food ² and drug ¹ processing	N/A	N/A	See Footnote
Retail Sales and Services	N/A	N/A	Yes .22
Storage, Personal and Outdoor	N/A	N/A	Yes 2.0
Warehousing and distribution centers	N/A	N/A	Yes 2.0
Manufacture and assembly of light and small items made from previously prepared materials and includes operations which do not create noise, smoke, odor, vibration or other objectionable nuisances to the extent that they are detrimental to surrounding uses	N/A	N/A	Yes .56

Assembly, manufacture, rebuilding, compounding, processing, preparation, or treatment of such articles or products as: Batteries ¹ , bottles ² , mattresses ¹ , furniture ² , tools ² , hardware ² , and paper products ² , but not the manufacture of paper itself	N/A	N/A	See Footnote
Machine, welding, or metal working shop, but not including punch presses, drop hammers, or other noise and vibration producing equipment	N/A	N/A	Yes .56
Woodworking shop	N/A	N/A	Yes .56
Minor utilities	N/A	N/A	Yes .56
Conditional Uses			
Any conditional use permitted in the OH-I zone ⁴	N/A	N/A	See Footnote
Cement and asphalt plants	N/A	N/A	Yes .56
Electroplating	N/A	N/A	Yes .56
Manufacture or processing of such non-durable goods as: chemical and allied products, petroleum products, fertilizers, but excluding explosives and ammonia	N/A	N/A	No
Metal fabrication and boiler or tank works	N/A	N/A	Yes .56
Mixing plants for concrete or paving material ⁵	N/A	N/A	Yes .56
Off-site hazardous waste treatment and storage facilities, provided that such facilities meet the State siting criteria adopted pursuant to the requirements of RCW 70.105.210	N/A	N/A	No
Oxygen manufacture and/or storage	N/A	N/A	No
Tire retreading	N/A	N/A	No
Produce stand	N/A	N/A	Yes .24
Rodenticide, insecticide and pesticide mixing plants	N/A	N/A	No
OH-HSC			
Permitted Uses			
Accessory Uses	N/A	N/A	Yes
Automobile and Truck Service Stations	N/A	N/A	Yes .22
Automobile Sales and Service	N/A	N/A	Yes .28
Boat Sales and Boat Repair	N/A	N/A	Yes .28
Drive-in Banks	N/A	N/A	Yes .22
Restaurants	N/A	N/A	No
Real Estate Sales; Governmental Services	N/A	N/A	Yes .22

Self Storage Warehouse	N/A	N/A	Yes 2.0
Conditional Uses			
Any permitted use that exceeds twelve thousand (12,000) square feet of gross floor area may be allowed upon Site Plan Approval processed as a Type II decision pursuant to Chapter 16.19 ICC ⁴	N/A	N/A	Yes
Major Utilities and Essential Public Facilities may be allowed upon Site Plan Approval processed as a Type III decision pursuant to Chapter 16.19 ICC	N/A	N/A	Yes .56
OH-PIP			
Conditional Uses			
Accessory uses	N/A	N/A	Yes
Assembly, manufacture, packaging, compounding or treatment of articles or merchandise from the following previously prepared materials: cloth ¹ , glass ² , lacquer ¹ , leather ¹ , paper ² , plastics ¹ , precious or semi-precious metals or stones ¹ , wood ² (excluding sawmills, lumber mills and planing mills), paint ² , clay ² , sand ² , rubber ¹	N/A	N/A	See Footnote
Printing, publishing and book binding	N/A	N/A	Yes .56
Manufacturing, processing and packaging of food ² , pharmaceuticals ¹ , toiletries, cosmetics, optical goods ¹ , scientific instruments and equipment ¹ , and precision instruments and equipment ¹	N/A	N/A	See Footnote
Scientific research, testing and experimental development laboratories	N/A	N/A	No
Corporate headquarters, regional headquarters and administrative offices of commercial, industrial, financial, charitable or governmental institutions	N/A	N/A	Yes .22
Upholstery shop	N/A	N/A	Yes .56
Auto repair of all kinds, including body and fender work, provided there shall be no wrecking, junking, dismantling, or salvaging operations	N/A	N/A	Yes .22
Feed and seed store, retail or wholesale	N/A	N/A	Yes .56
Gun Club and Shooting Range	N/A	N/A	No
Marine craft, equipment and supply sales, and repair and service of small craft	N/A	N/A	Yes .28

Nursery and landscape material including greenhouses	N/A	N/A	Yes .28
Plumbing shop	N/A	N/A	Yes .28
Sign shop	N/A	N/A	Yes .28
Lumber yard, retail or wholesale, including building supplies, hardware, and related items	N/A	N/A	Yes .28
Storage, Personal and Outdoor	N/A	N/A	Yes 2.0
Vocational and technical schools	N/A	N/A	No
Private club, lodge, convent, social or recreational building or community assembly hall, (except those having a chief activity carried on for monetary gain)	N/A	N/A	No
Training facilities, including but not limited to music, dance, martial arts, photography, health clubs	N/A	N/A	No
Warehousing and distribution centers	N/A	N/A	Yes 2.0
Retail Sales and Services	N/A	N/A	Yes .22
Uses similar to, or related to, or compatible with those listed or described in this section are permitted upon a finding by the Planning Director that a proposed use does not conflict with the intent of this section or the policies of the Oak Harbor Comprehensive Plan. The criteria for such finding of similarity, relationship or compatibility shall include, but not limited to the following: a) The proposed use will not significantly impact surrounding uses. b) The development standards for permitted uses can be met by the proposed use. c) Impacts, such as traffic, noise and air quality will not be significantly different than those generated by permitted uses	N/A	N/A	Yes
Overnight Lodging;	N/A	N/A	No

Minor and Major Utilities and Essential Public Facilities	N/A	N/A	Y .56
Temporary Uses	N/A	N/A	Y

* Upon adoption of this ordinance there were no UGA lands within the Clear Zone or APZ-I. In the future, if the UGA is expanded into the Clear Zone or APZ-I these uses and standards will need to be revised.

¹ No

² Yes, Maximum FAR .56

³ Yes, Maximum FAR .22

⁴ Only as permitted herein

⁵ Activity shall not produce smoke, glare, or involves explosives

- a) No new Residential uses will be permitted.
 - b) Existing residential uses are exempt.
 - c) Density shall not exceed 50 people per Acre in APZ II or the FAR standard for the specific use. When density standards don't compliment one and other, the more restrictive shall apply.
 - d) For sites already developed to the maximum FAR, changes of use are permitted only in cases where the proposed new use has the same or more restrictive maximum FAR than the current use.
3. Should dwelling units for farm workers be located on a subject property, the maximum density will be one (1) dwelling unit per acre.
 4. Designation Criteria -. All areas within any of the Aircraft Accident Potential Zones as delineated on Map C.1 of the Island County Comprehensive Plan and defined in this Chapter, shall be subject to the provisions of this Chapter.
 5. All lands regulated by this subsection shall not exceed the land use and density recommendations as outlined in Table 6-3 of the *AICUZ Study Update for Naval Air Station Whidbey Island's Ault Field and Outlying Landing Field Coupeville, Washington* dated March 2005, unless allowed herein nor the standards of the Policy Plan and Land Use Element.
 6. Exceptions. Through the Conditional Use process an applicant may review the *AICUZ Study Update for Naval Air Station Whidbey Island's Ault Field and Outlying Landing Field Coupeville, Washington* dated March 2005 and provide an analysis of the compatibility of the proposed use.

- a) No new Residential uses will be permitted.
 - b) Existing residential uses are exempt.
 - c) Density shall not exceed 50 people per Acre in APZ II or the FAR standard for the specific use. When density standards don't compliment one and other, the more restrictive shall apply.
 - d) For sites already developed to the maximum FAR, changes of use are permitted only in cases where the proposed new use has the same or more restrictive maximum FAR than the current use.
3. Should dwelling units for farm workers be located on a subject property, the maximum density will be one (1) dwelling unit per acre.
 4. Designation Criteria - All areas within any of the Aircraft Accident Potential Zones as delineated on Map C of the Island County Comprehensive Plan and defined in this Chapter, shall be subject to the provisions of this Chapter.
 5. All lands regulated by this subsection shall not exceed the land use and density recommendations as outlined in Table 6-3 of the *AICUZ Study Update for Naval Air Station Whidbey Island's Ault Field and Outlying Landing Field Coupeville, Washington* dated March 2005, unless allowed herein nor the standards of the Policy Plan and Land Use Element.
 6. Exceptions. Through the Conditional Use process an applicant may review the *AICUZ Study Update for Naval Air Station Whidbey Island's Ault Field and Outlying Landing Field Coupeville, Washington* dated March 2005 and provide an analysis of the compatibility of the proposed use.

Corrected
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Chair's Agenda

E